

POLICY NUMBER: POL-09

Chapter:
CLAIMS

Subject:
HEARING LOSS

Effective Date:
April 28, 1994

Last Updated:
September 22, 2022

PURPOSE STATEMENT:

The purpose of this policy is to describe how the Workers Compensation Board (WCB) determines whether a worker has work-related hearing loss and their entitlement to benefits.

REFERENCE:

Occupational Health And Safety Act R.S.P.E.I. 1988, Cap. O-1.1, General Regulations, Sec 8.3
Workers Compensation Act R.S.P.E.I. 1988, Cap. W-7.1, Sections 1, 18
Workers Compensation Board Policy, POL-71, Conditions for Entitlement
Workers Compensation Board Policy, POL-89, Impairment
Workers Compensation Board Policy, POL-90, Time Limit for Workers to File a Claim
Workers Compensation Board Policy, POL-160, Decision Making

DEFINITION:

In this policy:

“Impairment” means a medically measurable, permanent
(i) loss of physiological function, anatomical function or anatomical structure, or
(ii) abnormality of psychological function, physiological function, anatomical function or anatomical structure.

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POLICY:

1. Workers who have hearing loss may be entitled to workers compensation benefits and services if it is determined that the hearing loss is a result of their work.
2. Decision on claims for hearing loss will be made using the principles set out in this policy and Workers Compensation Board (WCB) policy, POL-71, Conditions for Entitlement.
3. Where non-work factors may have contributed to the hearing loss, the WCB will gather and weigh the evidence to determine whether the hearing loss is work-related, as set out in WCB policy, POL-160, Decision Making.

Criteria for Hearing Loss Claims

Traumatic Hearing Loss

4. Traumatic hearing loss is sudden or acute hearing loss resulting from a specific incident, such as an explosion, head injury, or chemicals or other materials entering the ear.
5. For a claim to be accepted for traumatic hearing loss, all of the following criteria must be met:
 - There is sufficient evidence of a specific workplace incident that could cause traumatic hearing loss.
 - There is a diagnosis of hearing loss or other condition affecting hearing, such as tinnitus.
 - The hearing loss is a result of the workplace incident.

Noise Induced Hearing Loss

6. Noise induced hearing loss results from prolonged exposure to excessive noise levels.
7. The principal characteristics of noise induced hearing loss are as follows:
 - The hearing loss is sensorineural (involving the inner ear and brain) and not conductive (involving the outer or middle ears).
 - The hearing loss is in both ears and usually has a symmetrical pattern on an audiogram.

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- Typically, the first sign of hearing loss due to noise exposure is a “notching” of the audiogram at 3000, 4000, or 6000 Hertz (Hz), with recovery at 8000 Hz.
 - Noise induced hearing loss does not progress after the worker is removed from the noise exposure.
8. Audiogram test results that were taken closest to the date the worker was last exposed to the excessive workplace noise are the best representation of the worker’s noise induced hearing loss related to work.
9. For a claim to be accepted for noise induced hearing loss, all of the following criteria must be met:
- There is sufficient evidence of prolonged occupational exposure to noise in excess of the acceptable levels outlined in the *Occupational Health and Safety Act* General Regulations over a minimum of two years. Where there is no record of measured noise levels at the workplace, the WCB may use accepted medical and scientific research to estimate the expected noise levels for the type of work.
 - A diagnostic audiogram that is performed by a health care provider authorized by the WCB shows hearing loss that is
 - Consistent with the principal characteristics of noise induced hearing loss, and
 - At the threshold of 26dB or greater in one or both ears. This is measured by averaging the loss of hearing at four audio frequencies (500, 1000, 2000, and 3000 Hz).
 - The hearing loss is a result of the work-related noise exposure. The WCB will consider relevant information, such as the worker’s age, medical history, medical research and medical opinions, time period since exposure and any factors that may have contributed to the hearing loss, both in and outside of work.

Filing a Hearing Loss Claim

10. All WCB claims must be filed within six months from the date of accident as set out in WCB policy, POL-90, Time Limit for Workers to File a Claim
11. The date of accident for traumatic hearing loss is the date of the specific workplace incident.

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12. As noise exposure occurs over a period of time, the WCB considers the date of accident for noise induced hearing loss to be the earlier of:
- The date a loss of earnings first occurs as a result of the noise induced hearing loss, or
 - The date the worker reports the noise induced hearing loss as work-related to their employer, a health care provider or the WCB.
13. If a claim is reported for noise induced hearing loss that does not meet the threshold of 26dB or greater, the WCB will maintain a record of the possible exposure. The claim decision will be made when evidence is received that the hearing loss meets the threshold.

Hearing Aids and Supplies

14. If a claim is accepted for hearing loss, the worker may be entitled to health care benefits including hearing aids and an annual allowance of \$100 per hearing aid to purchase batteries and supplies.
15. Hearing aids must be recommended by a health care provider approved by the WCB and chosen from the list of WCB authorized models and producers.
16. The replacement of hearing aids is limited to once every four years.
17. The health care provider will bill the WCB directly for:
- The hearing aids, at a rate established by the joint procurement committee.
 - All required services related to the aids, to a maximum of \$1000 per hearing aid. This includes all services, exams, assessments, warranties, repairs and maintenance costs.
18. If a worker wishes to purchase a hearing aid that is not on the list approved by the WCB, the worker is responsible for any additional costs.

Impairment

19. To be considered for an impairment rating, hearing loss must meet the threshold of 26dB or greater in at least one ear.

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20. An impairment award for hearing loss will be calculated as outlined in WCB policy POL-89, Impairment.

Tinnitus

21. Tinnitus is a perception of sound such as a buzzing, ringing, rushing, whistling or hissing quality. It can be continuous or intermittent. Tinnitus may be included in the impairment rating if it results from the work-related hearing loss, and the worker has hearing loss that meets the threshold in both ears.

Impairment Reassessment

22. Noise induced hearing loss does not progress after the worker is removed from the noise exposure. Reassessment of the impairment level for hearing loss will only be considered where there has been continued employment exposure to excessive noise levels.

HISTORY:

September 22, 2022 – Amended to clarify method of establishing date of accident for noise induced hearing loss. Requirement for an audiogram within five years of noise exposure has been removed.

July 30, 2021 – Non-substantive edits to terminology.

July 23, 2020 – Non-substantive changes to reflect new policy, Decision Making (POL-160).

September 26, 2019 – Amended to clarify the conditions for entitlement for hearing loss, in particular, noise-induced hearing loss. The amendments set out the eligible expenses for hearing aids and related services, and provide for an allowance to reimburse workers for hearing aid batteries and supplies.

January 10, 2019 – Non-substantive changes to reflect the legislative amendment to the definition of impairment.

September 12, 2016 - Non-substantive changes to reference Workers Compensation Board policy, POL-90, "Time Frame Limitations for Claims Filing and Invoicing."

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November 28, 2013 - Amended to provide clarity with respect to the types of hearing loss there are, the requirements for entitlement to benefits for hearing loss, and to ensure the policy is consistent with the Guides to the Evaluation of Permanent Impairment, 6th Edition.

January 20, 2009 - Amended to reflect changes which resulted from the Workers Compensation Board adopting the Guides to the Evaluation of Permanent Impairment, 6th Edition (i.e. removed the reference to Presbycusis).

November 29, 2007 - Amended to clarify the requirements needed to be considered for compensation benefits related to hearing loss.

June 22, 2004 - Amended to include limits placed on the cost of hearing aids and batteries. Policy also clarifies that recommendations for hearing aids must be from certified audiologists and that the permanent impairment award for tinnitus was increased from a maximum of 2% to 5%.

November 16, 2001 - Replaces "Hearing Loss - Noise Induced & Traumatic policy dated April 28, 1994.

Board of Directors Approval Date: April 28, 1994