

**POLICY NUMBER: POL-31**

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**Chapter:**  
**CLAIMS**

**Subject:**  
**HERNIAS**

**Effective Date:**  
**November 15, 1994**

**Last Updated On:**  
**September 12, 2016**

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**PURPOSE STATEMENT:**

The purpose of this policy is to describe how the Workers Compensation Board determines whether a hernia is compensable.

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**REFERENCE:**

Workers Compensation Act R.S.P.E.I. 1988, Cap. W-7.1, Section 6.

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**DEFINITION:**

“Hernia” means the protrusion of a portion of an organ or tissue through an abnormal opening.

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**POLICY:**

1. The Workers Compensation Board will authorize compensation benefits to workers if their work:
    - causes a hernia, or
    - aggravates a pre-existing hernia (work related or non-work related).
  2. Compensation for a hernia is payable from the date the worker enters hospital for surgical repair unless it can be clearly established that the worker cannot perform
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employment duties prior to that date.

3. The date of accident for a hernia which has developed over a period of time is outlined in Workers Compensation Board policy, POL-90, "Time Frame Limitations for Claims Filing and Invoicing."

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**HISTORY:**

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

July 31, 2008 - Amended to add #3, which clarifies what the WCB considers to be the date of accident for hernias.

December 14, 2006 - The policy was reviewed as a result of the 60 month policy review process.

October 25, 2001 - Replaces Policy and Practice Hernias dated November 15, 1994.

Board of Directors Approval Date: November 15, 1994