

POLICY NUMBER: POL-66

**Chapter:
CLAIMS**

**Subject:
RESPIRATORY DISEASES**

**Effective Date:
October 25, 2001**

**Last Updated On:
September 14, 2006**

REFERENCE:

Workers Compensation Act R.S.P.E.I. 1988, Cap. W-7.1, Section(s) 6, 18, 84 (1).
Occupational Health and Safety Act R.S.P.E.I. 1988, Cap. 0-1.01, Section 12.
Workers Compensation Board Policy, POL-61, Pre-existing Conditions.
Workers Compensation Board Policy, POL-62, Benefit of Doubt.

DEFINITION:

In this policy:

POLICY:

1. Respiratory diseases are compensable when all of the following conditions are met:
 - they result from duties arising out of and in the course of employment;
 - there is exposure to substances with irritating or inflammatory properties at the workplace; and
 - there is evidence, supported by appropriate diagnostic testing, of airway disease in the worker that can be reasonably related to the substances.

 2. When necessary, the Workers Compensation Board will facilitate a workplace assessment for possible sensitizing agents or other factors such as air quality.
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3. Where known substances with irritating or inflammatory properties exist, workers and employers are expected to take safety precautions.
 4. A pre-existing respiratory disease will be considered within the context of Workers Compensation Board policy, POL-61, "Pre-existing Conditions".
 5. Each claim for work related respiratory disease will be considered on its own merits and within the context of Workers Compensation Board policy, POL-62, "Benefit of Doubt".
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HISTORY:

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

October 25, 2001 - Replaces Policy and Practice "Occupational Asthma and Bronchitis" dated November 15, 1994.

Board of Directors Approval Date: October 25, 2001