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Manitoba Branch of the Canadian Physiotherapy Association
Presentation to the Public Hearing on the Workers Compensation
Act
June 1, 2004

Manitoba Branch, Canadian Physiotherapy Association presentation to the public hearing on the *Workers Compensation Act*

Background and Preamble

Physiotherapists are university-educated, health professionals who are dedicated to improving and maintaining functional independence and physical performance of Manitobans. They exercise autonomous judgment to analyze the impact of injury, disease and disorders on movement and function of their clients.

Physiotherapists work in private and public settings providing assessment procedures and interventions which are based on scientific research and evidence-based practice to enhance or restore function and to prevent or manage pain.

Physiotherapists are committed to enhancing health, promoting healthy lifestyle and improving the quality of life for all age groups.

As a self-regulating profession, all physiotherapists practicing in Manitoba are registered and licensed through the College of Physiotherapists of Manitoba.

The Canadian Physiotherapy Association (CPA) provides leadership and representation to the physiotherapy profession and physiotherapists in Canada. The Manitoba Branch of CPA (MBCPA) provides a voice for the profession in this province. There are 452 voluntary members in Manitoba: 9400 in Canada

The following areas are some of the concerns that the MBCPA would like to address:

1. Physiotherapists as stakeholders
2. Direct Access to physiotherapy treatment
3. Fair and reasonable rates
4. Mandatory participation in WCB insurance

1. Physiotherapists as stakeholders (definitions, 27.1, 27 (10), 27(18), Policy Manual Section 42.10

- In the current *Workers Compensation Act* the stakeholders group includes employer, employees, and union representatives.
- The services that WCB insurance supplies for the injured worker consist of income replacement, vocational services and medical services. WCB utilizes

several self-regulated, healthcare professionals to assess and treat injured workers. As significant service providers, (3.3% of the 2003 budget) inclusion of physiotherapists in the definition of “medical aid” or preferably “rehabilitation services” and a definition of “physiotherapist” is needed.

- Physiotherapists should have representation and continual dialogue at the level of all stakeholders.

Therefore:

The Manitoba Branch of the Canadian Physiotherapy Association recommends the *Workers Compensation Act* of Manitoba recognize physiotherapists as key stakeholders.

2. Direct Access 19(1), 19(3), 27(10), 27(12), 27(18)

Incongruence between the *Physiotherapists Act*, 2001 and the *Workers Compensation Act*.

- Direct access for physiotherapists to assess and treat clients in Manitoba has been allowed since the 1981 *Physiotherapists Act*. Revisions to the *Physiotherapists Act* in 2001 acknowledge the independent practitioner status of physiotherapists. Physiotherapists are not required to obtain a physician referral in order to assess or treat clients. The College of Physicians and Surgeons of Manitoba supported the independent practitioner status of physiotherapists in 1981 and 2001 when the *Physiotherapists Act* was proclaimed. More recently they also supported direct access to physiotherapy treatment for injured workers through WCB.
- Physiotherapists are licensed, self-regulated professionals in every Canadian province.
- Under the current *Workers Compensation Act*, injured workers may not see a physiotherapist for assessment or treatment until a referral is obtained from a physician.
- Research has proven that recovery and return to work is improved with early intervention of physiotherapy services. Direct access to physiotherapy services would improve injured worker recovery outcomes by reducing waiting times to access physiotherapy treatment caused by requiring physician intervention prior to initiation of physiotherapy services.
- Physiotherapists act as primary health care providers within their scope of practice for other public insurance companies (e.g. Manitoba Public Insurance) as well as private insurance companies (e.g. Manitoba Blue Cross).

Therefore:

The Manitoba Branch of the Canadian Physiotherapy Association recommends the *Workers Compensation Act* of Manitoba recognize direct access for physiotherapy services in order to facilitate case management and worker recovery, resulting in decreased time lost from work and ultimately decreased employer costs.

3. Fair and Reasonable Rates 27(11), 47(1)

- Within the *Workers Compensation Act* there are several references as to how the payment of benefits are made to injured workers. The injured workers' compensation is increased on a 'cost of living' basis.
- The fees paid to service providers are expected to be 'reasonable and proper'. In fact physiotherapy rates have increased by a total of only 6.9% in the last ten years.
- The wording 'reasonable and proper' is open to interpretation.
- For consistency in the *Act*, an independent and objective method for payment increase, such as the Health Care Service Index of the Manitoba CPI should be considered.

Therefore:

The Manitoba Branch of the Canadian Physiotherapy Association recommends the *Workers Compensation Act* of Manitoba apply the Health Care Services Index rate of the Manitoba CPI for future increases to fees for physiotherapy services.

4. Compulsory participation in WCB insurance program

- The majority of physiotherapy clinics in the private sector provide short and long term disability insurance benefits along with life insurance and extended health coverage. The payments from these policies, is for the most part, non-taxable. These policies also cover injuries that occur away from the workplace.
- Employers benefit from participation in these insurance policies as their portion of the EI premium is reduced.
- If participation in the WCB insurance plan was made compulsory, employers would either discontinue their short and long term disability coverage or be forced to substantially raise their treatment fees to offset the cost. This withdrawal could leave the employee with no insurance coverage for an injury or illness which is not work related.

Therefore:

Mandatory WCB coverage would be redundant when short and long term disability coverage is provided for employees. Compulsory participation in WCB insurance coverage is not supported by Manitoba Branch of the Canadian Physiotherapy Association.

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