
Policy

WSIB benefits may be affected when a worker/survivor leaves the province or country. To minimize the possibility of an interruption in benefits, workers/survivors who leave the province or country should notify the WSIB beforehand.

NOTE

For the purposes of this policy, the use of the term "worker," in relevant circumstances, also applies to survivors.

Purpose

The purpose of this policy is to outline the effect leaving the province/country, either temporarily or permanently, has on a worker's entitlement to benefits and services.

Guidelines

Vacations

The WSIB allows up to three weeks of vacation per year, provided the vacation period does not interrupt, in relevant cases, the worker's health care treatment or work reintegration (WR) activities.

If a worker is

- temporarily totally disabled/fully impaired and takes a vacation, full benefits may continue
- partially disabled/partially impaired, and in receipt of full benefits because of
 - being involved in a work transition (WT) assessment or plan or health care treatment, or
 - being available for suitable work,full benefits may continue
- in receipt of temporary partial difference benefits, see 18-06-02, Calculating Temporary Partial Disability Benefits, or partial loss of earnings (LOE) benefits, see 18-03-02, Payment and Reviewing LOE Benefits (Prior to Final Review), the WSIB may continue benefits at the same level that would be paid if the worker was working.

Temporary absences

Apart from vacation periods that the WSIB has allowed, if a worker leaves or plans to leave the province temporarily, the WSIB informs the worker in writing as to how the temporary absence could affect the worker's entitlement, including the following

- the worker must submit satisfactory clinical evidence regarding his/her condition prior to leaving the province (if the date of departure is known)
- if treatment is sought by the worker while outside the province, the worker must obtain clinical reports and receipts for the treatment rendered. Failure to provide this information may result in reduction or suspension of benefits.

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- as the WSIB cannot control fees for health care treatment received outside Ontario, the WSIB informs workers that they may be paid the difference between the amount charged and the amount allowed under the WSIB's fee schedules. The worker contacts the WSIB upon returning to Ontario and arranges for a clinical examination from the treating health professional.

For more information, see 17-01-04, Health Care Outside Ontario.

Moving out of the province/country**Notifying the WSIB**

If a worker

- is on a medical rehabilitation (MR) program or is involved in WR activities
 - is receiving temporary disability benefits, a future economic loss (FEL) supplement or loss of earnings (LOE) benefits, and
 - notifies the WSIB that he/she is leaving the province/country
- he/she will generally need to provide the WSIB with satisfactory clinical evidence and any other requested information to support ongoing entitlement to benefits.

For those workers who intend to leave the province/country while totally disabled/impaired, the WSIB may make a complete payment for the estimated period of temporary disability/impairment.

If a worker

- has returned to work, with or without a loss of wages/earnings, or
 - has not returned to work, and
 - is receiving temporary disability benefits; or FEL benefits or LOE benefits where a final review has not been completed, and
 - notifies the WSIB that he/she is leaving the province/country
- the WSIB may obtain any information necessary to conduct a review and following that review may confirm, vary or discontinue ongoing benefits, see 18-03-02, Payment and Reviewing LOE Benefits (Prior to Final Review), 18-03-06, Final LOE Benefit Review, 18-04-14 Reviewing FEL Benefits (Prior to Final Review), and 18-04-20 Final FEL Benefit Review.

In relevant cases, the decision-maker may determine whether a permanent impairment is likely to result from the injury, see 11-01-05, Determining Permanent Impairment. If the information confirms this is the case, a permanent disability (PD) or non-economic loss (NEL) benefit may be paid.

If a worker

- is receiving PD benefits; or FEL benefits or LOE benefits where a final review has been completed, and
- notifies the WSIB that he/she is leaving the province/country

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the WSIB will continue to issue benefit payments in the same manner as if the worker resided in Ontario.

Not notifying the WSIB

If a worker leaves Ontario without notifying the WSIB, payments may be suspended and the claim file could be closed.

If a worker

- is on a MR program or is involved in WR activities, and
 - is receiving temporary disability benefits, a FEL supplement or LOE benefits,
- the above noted benefits may be restored if the worker is available for examination and assessment by the WSIB. Further payment could be based on an estimate of the period benefits would likely be payable. Any expenses incurred by the worker in order to be available for the assessment are the responsibility of the worker.

If a worker

- has returned to work, with or without a loss of wages/earnings, or
- has not returned to work, and
- is receiving temporary disability benefits; or FEL benefits or LOE benefits where a final review has not been completed,

the WSIB may obtain any information necessary to conduct a review and following that review may confirm, vary or discontinue ongoing benefits, see 18-03-02, Payment and Reviewing LOE Benefits (Prior to Final Review), 18-03-06, Final LOE Benefit Review, 18-04-14 Reviewing FEL Benefits (Prior to Final Review), and 18-04-20 Final FEL Benefit Review.

If a worker is receiving PD benefits; or FEL benefits or LOE benefits where a final review has been completed, payments can be restored as soon as the WSIB can confirm the worker's new address, or receives further direction with respect to payments.

Requirement to co-operate and report material change in circumstance

For information on a worker's requirement to co-operate, see 22-01-03, Workers' Co-operation Obligations. For information on reporting a material change in circumstance, see 22-01-02, Material Change in Circumstances - Worker.

Application date

This policy applies to all decisions made on or after January 1, 2015, for all accidents.

Document history

This document replaces 15-06-07, dated February 15, 2013.

This document was previously published as
15-06-07 dated July 18, 2008

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15-06-07 dated October 3, 2007
15-06-07, dated October 12, 2004
05-04-04, dated January, 1990.

References

Legislative authority

Workplace Safety and Insurance Act, 1997, as amended
Sections 23, 33, 40(2), 42, 43, 44, 62(1), 107

Workers' Compensation Act, R.S.O. 1990, as amended
Sections 22(1), 37, 42, 43, 46, 50

Workers' Compensation Act, R.S.O. 1980, as amended
Sections 40, 47, 52

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