

Medical panels

We're devoted to helping you return to meaningful work after your workplace injury. While every circumstance is different, one thing that remains the same is our commitment to fairness. As a worker, you deserve to be treated fairly, with respect and efficiency.

How medical panels help us ensure fairness

Involving a medical panel can help to provide an impartial, independent process to resolve medical issues that may affect your rights to compensation.

A medical panel can be initiated by:

- A request from WCB-Alberta.
- A request by the Appeals Commission.

A medical opinion is provided by a physician and is a full statement of the facts, medical evidence and reasons supporting a medical conclusion. In some cases, there may be what is known as a "difference in medical opinion." To determine whether there is a difference between medical opinions, we consider whether:

- The issue is substantial to the claim.
- The physicians involved have the same facts.
- The opinions relate to the same time frame.
- There is a reasonable similarity of expertise between the physicians involved in the medical issue in question.

If there is a difference of opinion, we will first attempt to resolve the difference by consulting with the treating physician or through an independent medical exam. If the difference remains unresolved, a medical panel may be considered.

What to expect with a medical panel

The medical panel reviews the medical information and:

- Interviews and examines you.
- Allows the treating physician to advocate or provide input.
- May request additional investigation, consultation, etc.

The medical panel consists of three members, who are medical practitioners that have been chosen based on their expertise in dealing with the issues under review. The medical panel is administered by a medical panel commissioner, an independent physician appointed by the Minister, who has no role in WCB-Alberta claims, and whose independence is subject to review by the Auditor General. The panel commissioner is responsible for the overall operation of the medical panel process.

Once the review of information is complete and a consensus has been reached, a written report is provided that addresses all of the medical questions posed. Once a consensus has been reached by the three members, the medical panel decision is binding on all parties.

How physicians are selected for a medical panel

Just as each workplace accident/injury is unique, medical panels are assembled on a case-by-case basis. Files requiring a medical panel are sent to the panel commissioner. Taking into consideration eligibility, availability and willingness to participate, the panel commissioner will prepare a list of eligible physicians who are registered with the College of Physicians and Surgeons of Alberta, or equivalent. Once the eligibility list has been prepared, you (the claimant), your employer and WCB-Alberta each have the opportunity to indicate your order of preference of physicians from the list to participate on the medical panel.

The panel commissioner will choose a panel member on behalf of the employer if:

- You are self-employed.
- You are a member of the employer's family (see s.1 (1) (q) of the *Workers' Compensation Act*).
- You are a partner in, or registered director of, the firm that is the employer.
- The employer has ceased to carry on business in the industry in which the injury occurred.

The panel commissioner will also choose a panel member should you, your employer or WCB-Alberta not select a physician within the specified timeframe. The panel chairperson is always chosen by the panel commissioner.

Eligibility of physicians for a medical panel

To serve on a medical panel, the physician must be a registered medical practitioner under the Medical Profession Act. A physician with a potential conflict of interest is not eligible to be part of the medical panel. This includes:

- The treating physician.
- A physician who has or is being consulted to see you.
- A physician who provides medical services to the employer or you.
- A physician with a close family relationship to the employer or you.
- An associate of any of the above, unless there are no other options within Alberta, and it would not create a conflict of interest.

