

Date: 25/01/2017 9:35 PM
Subject: Form submission from: WCB Act Review Input

Submitted on Wednesday, January 25, 2017 - 21:35
Submitted values are:

Name: [REDACTED]
Organization: Claimant
Email: [REDACTED]
Input:

Dear Sir/Madam:

I have been at odds with WCB for over six years over a compensation claim that my caregivers say should be accepted. WCB says the opposite due to a medical adviser's opinion that post pounding wouldn't aggravate my elbow to cause ulnar neuropathy. I have my surgeon stating that during the operation, scarring was noted in the past with more evidence of recent scarring just by witnessing the area during surgery. My neurologist explained with reference to a diagram that repetitive motion and the type of work I did would cause scarring. As well, the Occupational Health Doctor wrote up a complete report on his opinion stating the case should be accepted but was dismissed over the medical adviser opinion.

It was taken before the Appeal Commission who confessed that they were not doctors but said if they needed a question answered, they would ask one. By reading their decision, it seems they took the side of the WCB medical advisor even though I presented evidence that she missed some important evidence and her opinion of the operation report differed from my neurologist's. I had asked for a medical review panel for an unbiased opinion but was denied because the Review Office didn't consider it a medical but an adjudiciary decision. Who better to ask if the type of work I was doing could have caused the condition?

My recommendations for a better Workers Compensation would be

1. Have qualified doctors sit on the Appeal Commission Panel
2. Have the Worker Advisor and WCB contact the Surgeon for his input (this was not done in my case)
3. A medical review panel to judge if there is a difference of opinion of what type of work can or cannot cause a condition.
4. If collusion is suspected between departments involved, serious charges should be laid.

I have submitted files to the Manitoba Ombudsman, College of Physicians and Surgeons, Minister in charge of WCB, the Manitoba Federation of Labour, and Occupational Health. No one will help me with my individual claim.

Sincerely,

[REDACTED]