

REQUEST FOR FILE RELEASE

TO: Internal Appeals
Workers' Compensation Board of Nova Scotia
5595 Fenwick Street, Suite 306
Halifax, NS B3H 4M2

Fax: (902) 491-8801

Worker's Name: _____

WCB Claim Number: _____

I/we, _____,

hereby request the Workers' Compensation Board of Nova Scotia to release the information specified on the second page of this form, which is solely related to the worker's claim, to:

Employer's or Representative's Name

Street Address

City Postal Code

Phone # Fax #

I, _____, the duly authorized representative of _____, understand and agree to the following conditions regarding information which the Workers' Compensation Board of Nova Scotia may release to me/us concerning the above-noted worker;

- a. The information is to be maintained in a secure manner;
- b. The information is to be used solely for pursuing, opposing, or determining whether to pursue/oppose an internal appeal; and
- c. The medical or personal information is not to be disclosed in a form that would identify the worker, or allow the information to be associated with the worker.

CLAIM # _____

Please check the appropriate box to indicate the information you require:

Copy of complete claim file	
Copy of updated documents only	(Date requested from)
Copy of medical reports only	
Copy of specific information only (as specified below): _____ _____ _____ _____ _____	

Upon receipt of this document and an application fee of \$25.00, the request will be processed. Additional fees may apply. Please read the accompanying information sheet for more information.

Employer's or Representative's Signature

Date

ACCESS TO CLAIM FILE PROCEDURE

1. Upon request, an employer (or its appointed representative) will be provided with a copy of the claim file or specific reports.
2. Prior to receiving a copy of a claim file, the employer must sign an undertaking indicating that the information will be kept in strictest confidence and will be used for Workers' Compensation Board purposes only.
3. A copy of the claim file will be provided **only once** and copies of documents not previously received will be provided upon receipt of further written requests for updates. If the employer changes its representative, the employer must ensure that the copy of the file is returned to the employer, or transferred from the former representative to the new representative.
4. If, after a review of the file, the WCB determines that information is not relevant and/or potentially prejudicial to the worker, then this information will not be released and the requestor will be advised in writing.
5. A copy of documents will be provided at a minimum cost of **\$25.00 (which must be included with the Request for File Release form), or \$1.00 per photocopied page, whichever is greater, to a maximum of \$150.00**. This charge is intended to cover the costs of reviewing the file to determine what can and cannot be released.
6. Requests for copies of claim files for the purpose of making an appeal at the Hearing Officer level are to be submitted to the Internal Appeals Department of the WCB as indicated on the Request for File Release form.



POLICY NUMBER: 10.3.5

Effective Date: February 1, 1996

Date Issued: December 1, 1995

Date Approved by Board of Directors: October 4, 1995

Topic: Access by Employers to Information Contained in Clients' Claim Files

Section: General Policies

Subsection: Administration

Policy Statement

1. A worker's employer is entitled to request access to information in the worker's claim file after an appealable decision has been made.
2. Only the information in the worker's claim file which is relevant to the appealable decision may be released to the worker's employer. Board staff will have the responsibility of reviewing claim files to determine which information is relevant.
3. Information from a claim file will only be released if the employer submits a written request for access to such information and states a reason for requesting access. The reason should make reference to concerns with material either contained in or which the employer has reason to believe was omitted from, the appealable decision.
4. The worker will be advised whenever information is being released to the employer.
5. The employer will be charged a fee related to the cost of staff salaries for reviewing files.

Guidelines

1. A worker who has received a decision on a claim from the Board is entitled, upon written request, to receive a copy of all the information in his/her file.
2. A worker's employer has the right to participate after an appealable decision has been made. The employer can:
 - a) file an internal appeal of the decision; and/or

- b) submit written arguments and/or oral evidence regarding an appeal launched either by itself (the employer) or the worker.
3. The Board, in developing its policy on access by employers to claim file information, has sought to strike an equitable balance between (a) protecting workers' privacy; and (b) providing employers with access to the information the Board used in making its decision(s) regarding claims.

In so doing, the Board has tried to make its appeal processes fair to all concerned.

Application

This Policy applies to all decisions made on or after February 1, 1996.

References

Workers' Compensation Act (Chapter 10, Acts of 1994 - 95), Section 193.