

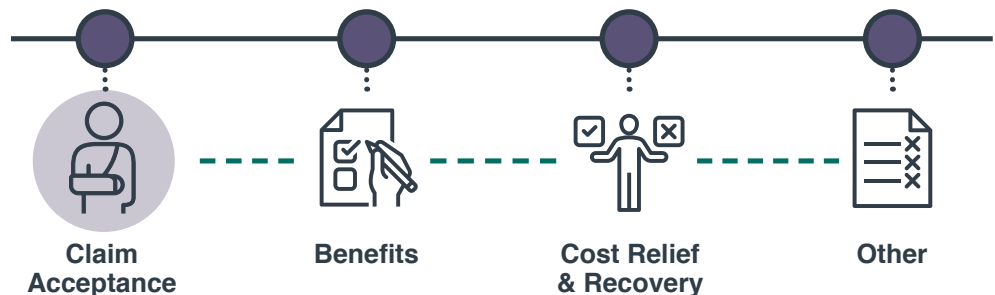
Issue 2: Aggravation of a Pre-existing Condition

Respect • Service • Integrity • Accountability

What is Aggravation of a Pre-Existing Condition?



When a work-related accident worsens a worker's pre-existing condition to the point that they can no longer do their job.



When does a worker have an acceptable claim for Aggravation of a Pre-existing Condition?

A worker has an acceptable claim for Aggravation when the medical and other evidence shows that:

- The worker was diagnosed with a pre-existing condition, which is a condition that existed before the date of a work-related accident;
- The pre-existing condition has become worse and, as a result, the worker is unable to perform all aspects of their job; and
- The worsening of the condition was caused by that work-related accident.

What questions does the panel ask to decide the appeal?

Typically, a panel will ask the following questions:

- Does the medical and other evidence establish that the worker had a pre-existing condition?
- Does the weight of evidence establish that any such pre-existing condition deteriorated or became symptomatic to the point that the worker was no longer able to perform all aspects of the job as a result of their exposure to a work hazard at a time and place consistent with the obligations of their employment?

What types of evidence are commonly used to answer the questions?

- Worker's/Employer's report of injury
- Medical report with diagnosis of a pre-existing condition
- Medical reports connecting mechanism of injury (work-related accident) and the aggravation of the pre-existing condition
- Medical reports commenting on worker's ability to work as a result of the aggravation of the pre-existing condition
- Witness reports

October 1, 2022

Resources



Legislation:

[Workers' Compensation Act](#), RSA 2000, c W-15

WCB Policy:

[02-01](#)

[03-01](#)

Sample Decisions:

[2021-0253](#)