



3rd SESSION, 65th GENERAL ASSEMBLY
Province of Prince Edward Island
66 ELIZABETH II, 2017

CHAPTER 18

(Bill No. 102)

An Act to Amend the Workers Compensation Act

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PRIVATE MEMBER'S BILL

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Charlottetown, Prince Edward Island



CHAPTER 18

AN ACT TO AMEND THE WORKERS COMPENSATION ACT

(Assented to December 20, 2017)

BE IT ENACTED by the Lieutenant Governor and the Legislative Assembly of the Province of Prince Edward Island as follows:

1. **Section 6 of the *Workers Compensation Act R.S.P.E.I. 1988, Cap. W-7.1*, is amended by the addition of the following after subsection (4):**

Presumption, post-traumatic stress disorder

- (4.1) Subject to subsection (4.2), it shall be presumed that personal injury by accident arising out of and in the course of employment has been caused to a worker, unless the contrary is shown, where the worker is
- (a) exposed in the course of employment to a traumatic event or events of a type specified in the DSM-5 as a trigger for post-traumatic stress disorder; and
 - (b) diagnosed with post-traumatic stress disorder in accordance with the DSM-5 by a physician or psychologist.

Application

- (4.2) Subsection (4.1) applies to a worker who is diagnosed with post-traumatic stress disorder on or after the date that subsection comes into force.

Acute reaction to a traumatic event

- (4.3) For greater certainty, post-traumatic stress disorder is considered an acute reaction to a traumatic event for the purpose of subsection 1(1.1).

Definitions

- (4.4) In this section,
- (a) “**DSM-5**” means the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association;
 - (b) “**physician**” means a person authorized by law to practise as a physician or medical practitioner in the province or in another jurisdiction in Canada;
 - (c) “**post-traumatic stress disorder**” means post-traumatic stress disorder as that condition is described in the DSM-5;
 - (d) “**psychologist**” means a person authorized by law to practise as a psychologist in the province or in another jurisdiction in Canada.

2. **This Act comes into force on a date that may be fixed by the proclamation of the Lieutenant Governor in Council.**



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<i>STAGE:</i>	<i>DATE:</i>
<i>1st Reading:</i>	November 30, 2017
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<i>To Committee:</i>	December 5, 2017
<i>Reported:</i>	December 5, 2017
<i>3rd Reading and Pass:</i>	December 12, 2017
<i>Assent:</i>	December 20, 2017

SIGNATURES:

Honourable Antoinette Perry, Lieutenant Governor

Honourable Francis (Buck) Watts, Speaker

Charles H. MacKay, Clerk

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