



THE APPEAL COMMISSION  
THE WORKERS COMPENSATION  
ACT OF MANITOBA

# 2012 Annual Report

APPEAL COMMISSION AND MEDICAL REVIEW PANEL

# Letter to the Minister

The Honourable Jennifer Howard  
Minister Responsible for *The Workers Compensation Act*  
Room 357, Legislative Building  
450 Broadway  
Winnipeg, MB R3C 0V8

Dear Minister:

I am pleased to present our 2012 Annual Report in accordance with the provisions of *The Workers Compensation Act*. This report covers the 12-month period from January 1, 2012 to December 31, 2012.

Respectfully submitted,

A handwritten signature in black ink that reads "Alan Scramstad". The signature is written in a cursive, flowing style.

Alan Scramstad  
Chief Appeal Commissioner

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# Introduction

This report outlines the activities and statistics for both the Appeal Commission and Medical Review Panels for the period January 1, 2012 to December 31, 2012 inclusive.

The Appeal Commission is the final level of appeal in the workers compensation system in Manitoba. The Appeal Commission has exclusive jurisdiction to hear and decide appeals that arise from decisions made by the Workers Compensation Board (WCB). The Appeal Commission is separate and independent from the WCB, ensuring that issues from workers and employers are heard by an impartial panel.

The Appeal Commission consists of full and part-time appeal commissioners who are appointed by the Lieutenant Governor in Council for specific terms.

Medical Review Panels are established under *The Workers Compensation Act* (the Act) as a separate and independent process from the WCB and the Appeal Commission. Medical Review Panels allow questions to be asked of an independent panel of medical experts and an impartial medical opinion obtained on a worker's claim. The findings of a Medical Review Panel are considered evidentiary in nature and are not binding upon the WCB or Appeal Commission.

The Minister responsible for the Act appoints the Medical Review Panel Chair and Alternate Chair. The independence of the Chairs, and the ability of the employer and worker to select physicians who have not previously treated the worker to sit on a panel, allows for an impartial medical opinion.

The Office of the Registrar provides administrative support to both the Appeal Commission and Medical Review Panels.

# Mission and Values

## Mission Statement

To ensure workers and employers continue to receive a full and impartial hearing of appeals in accordance with fairness and the rules of natural justice and that decisions of the Appeal Commission are a fair reflection of the facts of the case and the governing legislation.

## Values

### QUALITY ASSURANCE

The Appeal Commission maintains a consistent and high level of professional conduct, knowledgeable decision-making, and accountability, while respecting differing and shared values and perspectives.

### PUBLIC INTEGRITY

The Appeal Commission is, and is seen to be, an independent body with integrity and a rational decision-making process.

### RESPONSIVE TO CHANGE

The Appeal Commission evolves in a proactive and creative manner by assuring a process of consultation and consensus around desired change.

### INTERDEPENDENCE

All appeal commissioners are committed to a high standard of professionalism in their duties to conduct fair and impartial hearings under *The Workers Compensation Act* and its regulations. As well as their individual responsibilities to become knowledgeable in the matters before them, the commissioners have individual and collective responsibilities to one another to ensure an atmosphere of mutual respect, tolerance of individual differences and opinions, freedom from pre-determined bias and a commitment to look for objective truth and sound decision-making.

### RESPECTFUL WORK ENVIRONMENT

Appeal commissioners interact with staff and colleagues in a manner that promotes mutual respect as well as clarity and understanding of respective roles.

# A Message from the Chief Appeal Commissioner

I am pleased to present the annual report of the Appeal Commission for the year 2012.

As the final appeal body under *The Workers Compensation Act* (the Act), the Appeal Commission provides an independent forum for the resolution of concerns for persons who are not satisfied with the decisions of the Workers Compensation Board (WCB). It also serves as the final appeal body under *The Victims' Bill of Rights* and the *Government Employees Compensation Act* for federal government employees working in Manitoba.

As the final level of appeal, the Appeal Commission is committed to ensuring that:

- workers and employers receive full and impartial hearings of appeals in accordance with fairness and the rules of natural justice; and,
- decisions are a fair reflection of the facts of the case and the governing legislation.

These commitments are enunciated in the Appeal Commission mission statement and are evident in all its processes, hearings and decisions.

This report contains statistics which detail the work of the Appeal Commission over the past year. While in 2011 the Appeal Commission reported a decline in service levels, in 2012 the Appeal Commission is pleased to report that service levels have improved significantly. For example, there was a 38.2 per cent decrease in average time from date of appeal received to

decision published compared to 2011. This shows that the Appeal Commission is scheduling, hearing and deciding appeals more effectively. At the same time, the Appeal Commission maintained its commitment to ensure that all appeals receive full and fair consideration.

In 2012, the Appeal Commission saw a 28.5 per cent increase in appeals filed compared to 2011 (212 filed compared to 165).

The Appeal Commission operates with a system of full and part-time appeal commissioners. I am pleased to report that Christian Monnin was appointed a part-time presiding officer in 2012, joining our slate of 14 part-time and four full-time commissioners. I express my gratitude to each commissioner for their excellent service on behalf of the Appeal Commission.

I wish to thank Peter Wiebe, Registrar, and the dedicated staff of the Appeal Commission for their diligent work on behalf of the Appeal Commission. Their assistance and support are essential to the Appeal Commission's successful operations.

I am pleased with the Appeal Commission's 2012 accomplishments and look forward to a productive 2013.

Sincerely,



Alan Scramstad  
Chief Appeal Commissioner

# About the Appeal Commission

The Appeal Commission is the final level of appeal in the workers compensation system and operates separately and independently from the WCB. The Appeal Commission hears all appeals from workers and employers concerning WCB Review Office or Assessment Committee decisions. The Appeal Commission also acts as the final level of appeal under the *Government Employees Compensation Act* for federal government employees working in Manitoba and for claims from victims of crime filed under *The Victims' Bill of Rights*.

The full and part-time appeal commissioners are appointed by the Lieutenant Governor in Council for specific terms. *The Workers Compensation Act* (the Act) requires that the Appeal Commission consist of one or more appeal commissioners representing the public interest, one of whom is designated as Chief Appeal Commissioner, and one or more appeal commissioners representing workers and employers covered under the Act.

The Appeal Commission's conduct is governed by Regulation 279/91, *Appeal Commission Rules of Procedure*. The Rules of Procedure establish the responsibilities of the Chief Appeal Commissioner, the Registrar and the appeal panels to ensure that the integrity and transparency of the appeal system is protected and maintained.

Appeals are heard by panels of three commissioners, representing public, worker and employer interests, respectively. The commissioner representing the public interest is the chair of the panel and is responsible for the conduct of the hearing/review.

Hearings and reviews are conducted in accordance with the rules of natural justice and procedural

fairness. All parties to an appeal (i.e. the employer, worker and their representatives) are given an equal opportunity to present their case.

An appeal panel may hear witnesses from either or both parties and may subpoena witnesses or evidence that will assist the panel in reaching a decision. A party with a direct interest may appear before the panel to provide evidence or in some cases, ask the panel to conduct a review of the file which would not require the attendance of any party.

The Appeal Commission is a non-adversarial enquiry forum where parties with a direct interest in a matter provide oral or written evidence. An appeal panel can ask questions or obtain additional evidence which ensures that the panel has all the information necessary to reach a fair decision.

Written decisions are provided to the parties to an appeal within 60 days of the hearing ending. Decisions are made based on the evidence on file, the evidence presented during the hearing/review and any additional evidence the appeal panel has requested.

The Appeal Commission also provides access to our decisions to all stakeholders. Decisions are publicly available in several ways, including through the Appeal Commission's website – [www.appeal.mb.ca](http://www.appeal.mb.ca). Decisions made available to the public are written to protect the privacy of all parties, in compliance with the various pieces of privacy legislation in Manitoba. The Appeal Commission continues to be a leader amongst tribunals in Manitoba in providing access to the public to tribunal decisions.

# Method of Appeal

Appellants can request a file review or oral hearing; however, the Chief Appeal Commissioner or an appeal panel addressing an appeal has the final authority to determine the most appropriate method for an appeal.

## File Review

An appeal will be addressed by a file review if all the issues can be decided based on the file documents and written submissions. The panel reaches a decision after it conducts a full review of the file documentation and any evidence submitted in writing by the parties with a direct interest. If an appeal is decided by a file review, interested parties do not appear in person before the appeal panel.

Some examples of appeals commonly decided by file review include:

- most assessment appeals
- factual matters such as the level of average earnings
- applications for an increase in permanent partial impairment where no wage loss is involved
- payment of medical aid/travel expenses
- appeals where the facts of the case are not in dispute.

## Oral Hearing

Oral hearings are the most common appeal forums, and they are where the more complex appeals are usually heard. The party requesting the hearing must appear in person to present the appeal to the panel verbally, although the appeal can be supported by a written submission. In some instances, a party may be allowed to participate via teleconference. Witnesses may attend in support of the appeal, so long as the Appeal Commission is advised in advance that they will be attending.

When an oral hearing takes place, everyone who participates is given an equal opportunity to present their case.

Some examples of appeals decided by an oral hearing are:

- where additional evidence is to be presented
- where there is a fatality
- where serious injury has occurred
- where an occupational disease is involved
- where the decision may have an important impact on how WCB policy is interpreted or applied
- where the facts are in dispute.



# General Hearing/Review Information

- Hearings and reviews are scheduled as soon as the parties are ready to proceed.
- A worker's or an employer's access to file information is subject to certain restrictions contained in the Act. File access generally takes up to six weeks, but can be longer if objections to the release of information are received.
- Any evidence concerning an appeal must be provided to the Appeal Commission at least five business days before the review or hearing.
- By Regulation, a decision will be rendered within 60 days of the completion of the hearing or review.

## After an Appeal

The Appeal Commission cannot clarify or change its decision once it has been made, except to correct typographical errors. The panel is unable to provide any further reasons or explanations for its decision, and cannot consider further arguments or submissions by the parties.

Appeal Commission decisions are final. Once a decision has been made, there are limited remedies available to the parties under the Act. These remedies are:

1. Under Section 60.9 of the Act, if a party thinks the panel has acted outside its authority or has erred in applying the Act, regulations or WCB policy, the party can approach the Board of Directors of the WCB and ask them to review the decision. The party must identify the error made by the panel. Should the Board of Directors consider that an error has been made, they may order that the appeal be re-heard.
2. Under Section 60.10 of the Act, if a party has new evidence that is substantial and material to the decision, they may apply to the Chief Appeal Commissioner and request reconsideration of the decision. The information must not have existed at the time of the original hearing, or been known to the applicant and also could not have been discovered through the exercise of due diligence. If the Chief Appeal Commissioner decides that the evidence meets the reconsideration provisions of the Act, a new hearing on the matter will be ordered. The Chief Appeal Commissioner is unable to consider further arguments about the evidence that was before the original panel.

# The Appeal Commissioners

## The Full-Time Appeal Commissioners

The Chief Appeal Commissioner and full and part-time commissioners representing workers, employers and the public interest are appointed by the Lieutenant Governor in Council.

As at December 31, 2012, there were four full-time commissioners:

### **PUBLIC INTEREST**

**Lindy Choy**, *Presiding Officer*

**Alan Scramstad**, *Chief Appeal Commissioner*

### **REPRESENTING WORKERS**

**Pete Walker**, *Appeal Commissioner*

### **REPRESENTING EMPLOYERS**

**Allan Finkel**, *Appeal Commissioner*

## The Part-Time Appeal Commissioners

During 2012, the Appeal Commission had a roster of part-time appeal commissioners representing the public interest, workers and employers. The services of the part-time commissioners are used when full-time commissioners are in conflict on a case, for vacation relief, when workloads increase, and to maintain their level of expertise.

### **PUBLIC INTEREST**

**Karen Dyck**

**Denny Kells**

**Christian Monnin**

**Mira Thow**

### **REPRESENTING WORKERS**

**Cliff Anderson**

**Margaret Day**

**Mark Kernaghan**

**Marc Lafond**

**Grant Ogonowski**

### **REPRESENTING EMPLOYERS**

**Margaret Bencharski**

**Christiane Devlin**

**Ron Koslowsky**

**Pam Marsden**

**Barrie Simoneau**

# Highlights

- Alan Scramstad, Chief Appeal Commissioner and Peter J. Wiebe, Registrar, served as members of the Board of Directors of the Manitoba Council of Administrative Tribunals (MCAT). Mr. Wiebe was elected as Vice-President.
- Alan Scramstad, Chief Appeal Commissioner, chaired the workshop “Charter Remedies” at MCAT’s 7th Annual Conference.
- Lindy J. R. Choy, Presiding Officer, was a panelist on the Manitoba Bar Association workshop “What is Life Really Like on the Other Side of Private Practice?”

## Commissioner Workshops (continuing education)

Full and part-time appeal commissioners attend internal workshops and participate in external training throughout the year on topics related to workers compensation and administrative tribunals. Workshops and external training attended in 2012 were:

- Internal workshops:
  - Chiropractic
  - Brain Injuries & Management of Complex Psycho-Social Issues
- Manitoba Council of Administrative Tribunals sessions:
  - 7th Annual Conference
  - Tribunal Member Training Program
  - Vertical Convention of Precedent
- Council of Canadian Administrative Tribunals conference:
  - Mapping New Frontiers
- Canadian Bar Association conference:
  - Administrative and Labour Law

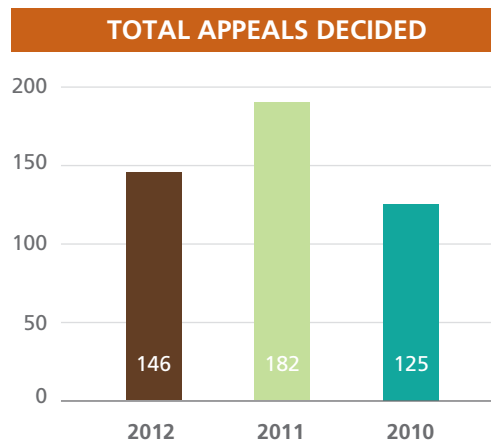
## Disclosures under *The Public Interest Disclosure (Whistleblower Protection) Act*

There were no disclosures received in 2012.

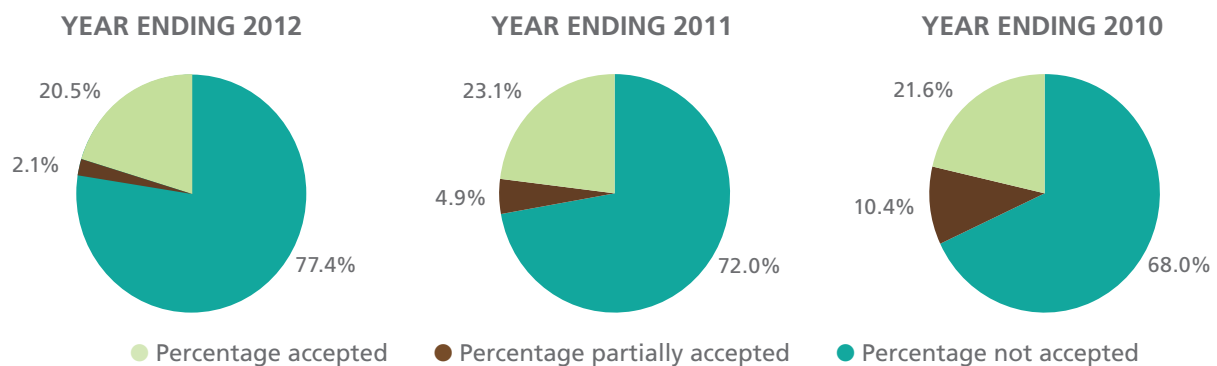
# Appeal Commission Statistics

(Workers Compensation Statistics)

TOTAL APPEALS	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals carried forward from previous year	35	26	18
Hearings held (by appeal)	119	164	100
Reviews held (by appeal)	25	37	37
Cases in process	[26]	[35]	[26]
Cases adjourned	[7]	[10]	[4]

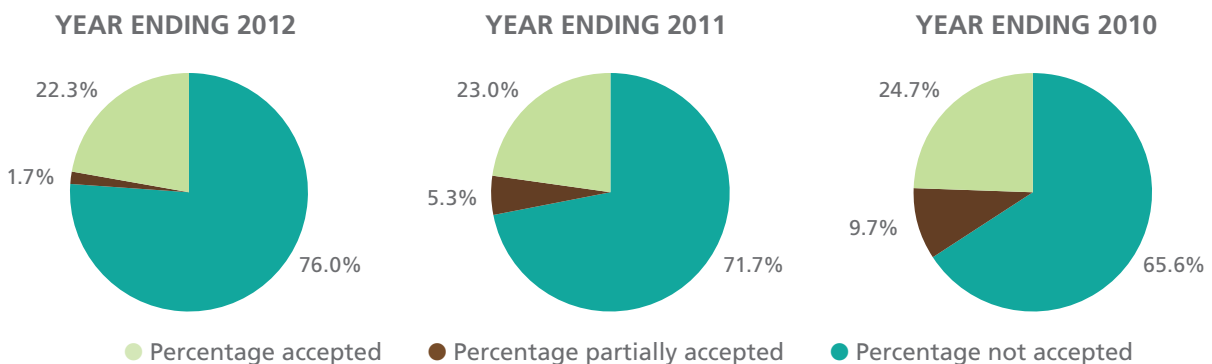


Appeals accepted	30	42	27
Appeals partially accepted	3	9	13
Appeals not accepted	113	131	85
<b>TOTAL APPEALS DECIDED</b>	<b>146</b>	<b>182</b>	<b>125</b>



POST HEARING ACTIVITIES (cases in process)	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Cases awaiting further information requested by the panel	9	12	7
Cases awaiting decision	0	2	4
Decision writing	17	21	15
<b>TOTAL</b>	<b>26</b>	<b>35</b>	<b>26</b>

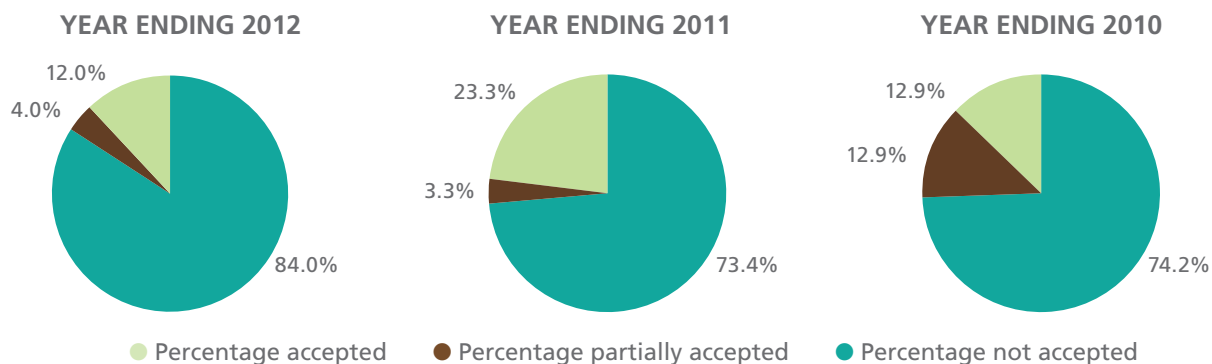
TOTAL WORKER APPEALS TO CLAIM/REHABILITATION ISSUES	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	27	35	23
Appeals partially accepted	2	8	9
Appeals not accepted	92	109	61
<b>TOTAL</b>	<b>121</b>	<b>152</b>	<b>93</b>



*Number of workers represented by:*

Legal Counsel	5	7	3
Union Representative	6	25	7
Worker Advisor	35	44	38
Advocate	6	4	2
Self Representation	66	71	43
Other	3	1	0

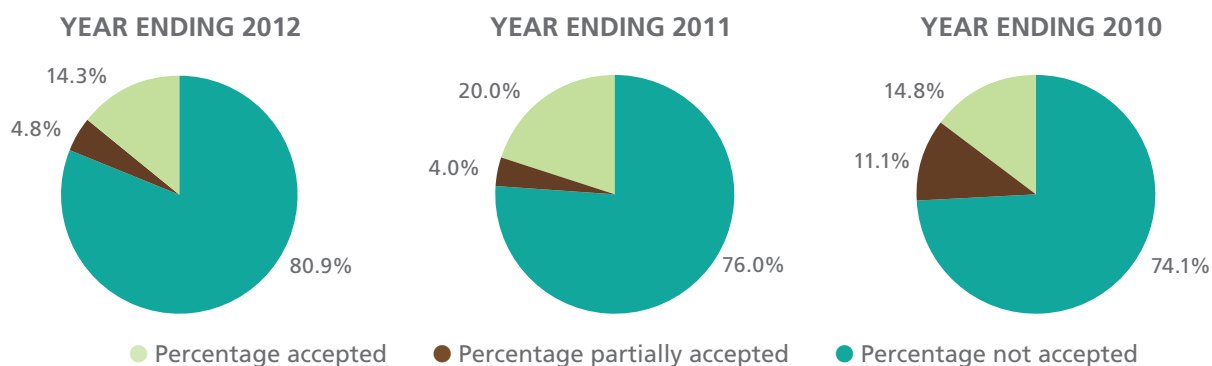
TOTAL EMPLOYER APPEALS	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	3	7	4
Appeals partially accepted	1	1	4
Appeals not accepted	21	22	23
<b>TOTAL</b>	<b>25</b>	<b>30</b>	<b>31</b>



Number of employers represented by:

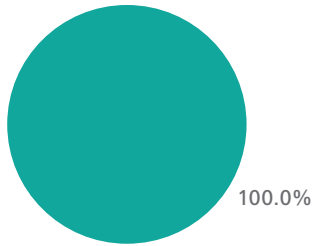
Legal Counsel	3	7	1
Advocate	9	13	13
Employer Agent	12	7	14
Self Representation	1	3	3

EMPLOYER APPEALS TO CLAIM/REHABILITATION ISSUES	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	3	5	4
Appeals partially accepted	1	1	3
Appeals not accepted	17	19	20
<b>TOTAL</b>	<b>21</b>	<b>25</b>	<b>27</b>

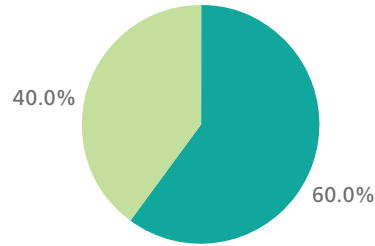


EMPLOYER APPEALS TO ASSESSMENT ISSUES	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	0	2	0
Appeals partially accepted	0	0	1
Appeals not accepted	4	3	3
<b>TOTAL</b>	<b>4</b>	<b>5</b>	<b>4</b>

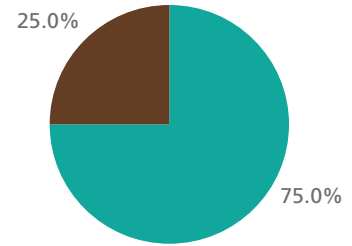
YEAR ENDING 2012



YEAR ENDING 2011



YEAR ENDING 2010



● Percentage accepted    ● Percentage partially accepted    ● Percentage not accepted

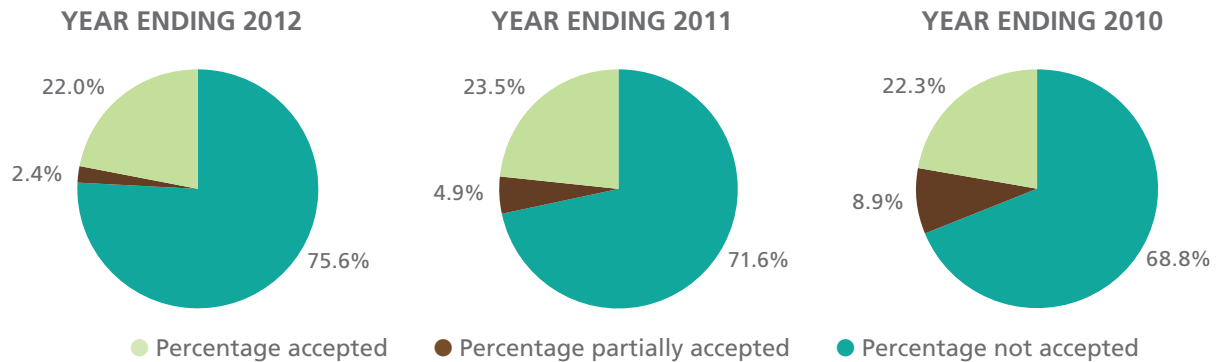
TOTAL THIRD PARTY APPEALS*	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	0	0	0
Appeals partially accepted	0	0	0
Appeals not accepted	0	0	1
<b>TOTAL</b>	<b>0</b>	<b>0</b>	<b>1</b>

*Number of third parties represented by:*

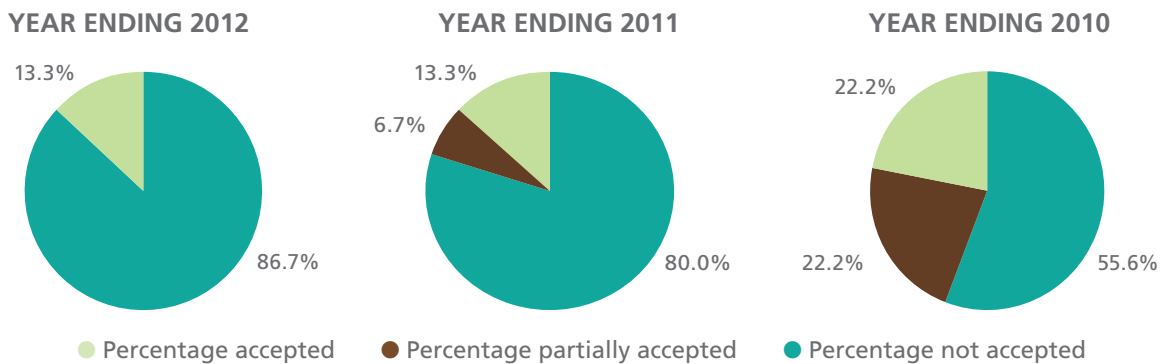
Legal Counsel	0	0	0
Union Representative	0	0	0
Worker Advisor	0	0	0
Advocate	0	0	0
Self Representation	0	0	1
Other	0	0	0

\*Appeals by parties other than the worker or employer.

APPEAL TYPE – CLAIM	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	28	38	25
Appeals partially accepted	3	8	10
Appeals not accepted	96	116	77
<b>TOTAL</b>	<b>127</b>	<b>162</b>	<b>112</b>



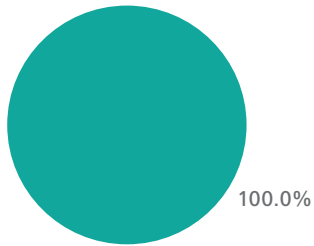
APPEAL TYPE – REHABILITATION	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	2	2	2
Appeals partially accepted	0	1	2
Appeals not accepted	13	12	5
<b>TOTAL</b>	<b>15</b>	<b>15</b>	<b>9</b>



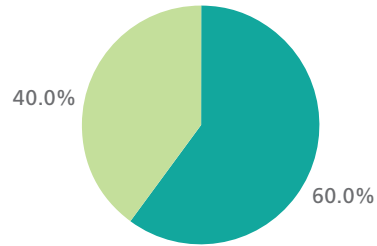


APPEAL TYPE – ASSESSMENT	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Appeals accepted	0	2	0
Appeals partially accepted	0	0	1
Appeals not accepted	4	3	3
<b>TOTAL</b>	<b>4</b>	<b>5</b>	<b>4</b>

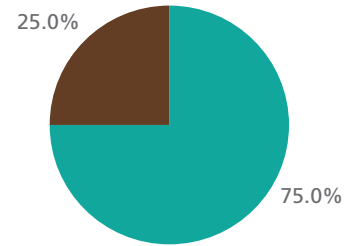
YEAR ENDING 2012



YEAR ENDING 2011



YEAR ENDING 2010



● Percentage accepted    
 ● Percentage partially accepted    
 ● Percentage not accepted

<b>TOTAL APPEALS DECIDED</b>	<b>146</b>	<b>182</b>	<b>125</b>
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<b>MOST COMMON ISSUES ADDRESSED</b>	<b>YEAR ENDING 2012</b>	<b>YEAR ENDING 2011</b>	<b>YEAR ENDING 2010</b>
Entitlement to wage loss benefits (post-1992)	55	76	44
Claim acceptance	38	48	40
Entitlement to medical aid payment	28	25	18
Is present condition related to the compensable injury	13	27	18
Deeming process	10	6	2
Is the employer entitled to cost relief	6	5	7
Entitlement to an increase in the permanent partial impairment award	6	5	2
Mitigation	6	8	6
Average earnings policy	5	2	3
Entitlement to a permanent partial impairment award	5	2	2
Is worker entitled to vocational rehabilitation services (retraining)	3	1	0
Has the permanent partial impairment award been correctly calculated	3	2	1
Should responsibility for surgery be accepted	3	3	1
Was the vocational rehabilitation plan appropriate	3	3	0
Is worker capable of performing modified duties	2	4	1
Are deemed workers' earnings reportable to the WCB	2	0	0
Entitlement to temporary total disability benefits (pre-1992)	2	2	1
Entitlement to further physiotherapy treatment	2	2	0
Request for Medical Review Panel	2	4	2
Has the wage loss benefit been correctly calculated	2	4	1
Is worker to reimburse the WCB for overpayment of benefits	1	2	4
Other issues	11	23	14
<b>TOTAL ISSUES ADDRESSED</b>	<b>208</b>	<b>254</b>	<b>167</b>

<b>RECONSIDERATIONS UNDER SECTION 60.10 OF THE ACT</b>	<b>YEAR ENDING 2012</b>	<b>YEAR ENDING 2011</b>	<b>YEAR ENDING 2010</b>
Number of requests decided	10	3	12
Reconsiderations granted	6	0	2
Referred back to the WCB to address new issues identified by the Chief Appeal Commissioner/designate	0	0	0

<b>FILE ACCESS APPEALS</b>	<b>YEAR ENDING 2012</b>	<b>YEAR ENDING 2011</b>	<b>YEAR ENDING 2010</b>
Worker appeals	9	5	16
Employer appeals	2	1	2
<b>TOTAL FILE ACCESS APPEALS</b>	<b>11</b>	<b>6</b>	<b>18</b>

## Victims' Rights Statistics

<b>TOTAL APPEALS</b>	<b>YEAR ENDING 2012</b>	<b>YEAR ENDING 2011</b>	<b>YEAR ENDING 2010</b>
Appeals accepted	0	0	0
Appeals partially accepted	0	0	1
Appeals not accepted	0	2	2
<b>TOTAL</b>	<b>0</b>	<b>2</b>	<b>3</b>

# Service Levels

The Appeal Commission tracks the time it takes an appeal to move through the appeal process. Service levels are reviewed at various stages of the appeal process to identify delays and to determine if administrative improvements can be made.

Appeal Commission staff personally contact all interested parties when scheduling hearings to ensure that the parties are provided sufficient time to fully prepare.

According to Regulation 279/91, *Appeal Commission Rules of Procedure*, an appeal panel must publish its decision within 60 days following the conclusion of a hearing. A hearing is considered to have concluded once the panel obtains the necessary information to allow it to make a decision.

<b>SERVICE LEVEL STATISTICS</b> (Based on decisions published as at December 31, 2012)	<b>YEAR ENDING 2012</b>	<b>YEAR ENDING 2011</b>	<b>YEAR ENDING 2010</b>
Average time from date appeal received to date of hearing	14.63 wks	28.06 wks	27.10 wks
Average time from hearing date to decision published	8.62 wks	9.58 wks	8.17 wks
<b>AVERAGE TIME FROM DATE APPEAL RECEIVED TO DECISION PUBLISHED*</b>	<b>23.25 wks</b>	<b>37.64 wks</b>	<b>35.27 wks</b>

\*Includes all appeals:

- that awaited the selection of an acceptable hearing/review date;
- that awaited file access and other information sharing;
- where there was an adjournment at the request of the worker or employer; and,
- where additional information was requested after the hearing/review.

# About Medical Review Panels

Medical Review Panels enable the WCB or Appeal Commission to obtain impartial, independent advice on medical matters that affect a worker's right to compensation.

Subsection 67(3) of the Act allows the WCB or Appeal Commission the discretion to refer a medical matter to a Medical Review Panel for an independent opinion. This may occur when a claim is fairly complex and an independent expert opinion is desired.

Subsection 67(4) of the Act establishes the right of an injured worker to a Medical Review Panel if there is a difference of opinion on a medical matter between the worker's physician and a WCB medical advisor and this difference affects the worker's entitlement to compensation. A Medical Review Panel must be convened if a difference of opinion, as defined by subsection 67(1) of the Act, exists.

Subsection 67(4.1) of the Act provides that an employer may request that the WCB refer a medical matter to a Medical Review Panel for its opinion. The medical matter must be real and substantial and affect entitlement to compensation.

A Medical Review Panel is comprised of a Chairperson and two panel members. The Minister responsible for the Act appoints the Chairperson and the Alternate Chairperson. The worker and employer select the other two panel members from a list of physicians, provided by the College of Physicians and Surgeons, who specialize in the matter under consideration. In addition, specialist consultants in other fields may be invited to attend and assist the panel.

Physicians who have treated the worker, who examine workers on behalf of the employer, or who have acted as consultants in the treatment of the worker are not eligible to serve on the Medical Review Panel.

The independent nature of the Medical Review Panel process ensures that the medical advice obtained is impartial and is based upon the facts of the case as documented on file and as discovered through the process.

The findings of a Medical Review Panel are considered evidentiary in nature and are not binding upon the WCB or the Appeal Commission.

The Chairperson of Medical Review Panels is Dr. Mallory Fast. The Alternate Chairperson position is currently vacant.

# Medical Review Panel Statistics

MEDICAL REVIEW PANELS (MRPs)	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Total MRPs convened	3	4	5
<b>INITIATED BY:</b>			
Primary Adjudication	2	2	5
Review Office	0	2	0
Appeal Commission	1	0	0
<b>CONVENED UNDER:</b>			
Subsection 67(3)	1	2	0
Subsection 67(4)	2	2	5
Subsection 67(4.1)	0	0	0

MEDICAL REVIEW PANELS CONVENED BY AREA OF MEDICAL SPECIALTY	YEAR ENDING 2012	YEAR ENDING 2011	YEAR ENDING 2010
Orthopaedic Surgery	2	2	2
Neurology	1	0	1
Physical Medicine & Rehabilitation	0	1	1
Psychiatry	0	1	1
<b>TOTAL</b>	<b>3</b>	<b>4</b>	<b>5</b>

# Service Levels

The convening of a Medical Review Panel is a complex process where a panel of specialists and consultants are brought together on a specific day to meet, examine a worker and answer questions placed to them. This involves arranging a time convenient to all parties, the preparation of documents and the publishing of the Medical Review Panel findings.

<b>MEDICAL REVIEW PANEL SERVICE LEVEL STATISTICS</b>	<b>YEAR ENDING 2012</b>	<b>YEAR ENDING 2011</b>	<b>YEAR ENDING 2010</b>
Average time from date of request to date MRP held	21.00 wks	27.32 wks	31.29 wks
Average time from date of MRP to date report is published	2.48 wks	3.29 wks	4.14 wks
<b>AVERAGE TIME FROM DATE OF REQUEST TO DATE REPORT IS PUBLISHED</b>	<b>23.48 wks</b>	<b>30.61 wks</b>	<b>35.43 wks</b>



THE APPEAL COMMISSION  
THE WORKERS COMPENSATION  
ACT OF MANITOBA

# 2012 Annual Report

APPEAL COMMISSION AND MEDICAL REVIEW PANEL

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