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**Pre-approved Framework Guideline for
Whiplash Associated Disorder Grade II Injuries
With or Without Complaint of Back Symptoms**

Superintendent's Guideline No. 02/03

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1. Introduction

This Guideline is issued pursuant to Section 268.3 of the *Insurance Act* for the purposes of the *Statutory Accident Benefits Schedule* (SABS).

This Guideline is effective October 1, 2003, and is intended to set out what goods and services may be provided without insurer approval to an insured person who has sustained a Whiplash Associated Disorder Grade II as described below, with or without back pain, and the cost of such services payable by the insured person's insurer.

This Guideline reflects a consensus between regulated health professionals and insurers and will be subject to review and revision as required over time.

2. Impairments that come within this Guideline

Subject to the exceptions listed in Section 3, below, an insured person's impairment comes within this Guideline if, after being assessed within 28 days of the accident, the insured person is determined to have sustained an injury that:

- (a) resulted from an acceleration-deceleration mechanism of energy transfer to the neck, presents as a complaint of neck pain, stiffness, or tenderness, and musculoskeletal sign(s), including decreased range of motion and point tenderness, and therefore meets the criteria for "Whiplash Associated Disorder Grade II" (also known as "WAD II") set out in the Société de l'assurance automobile du Québec's Task Force Report titled *Redefining "Whiplash" and its Management*, published in the April 15, 1995 edition of *Spine*;
- (b) may include a complaint of non-radicular back symptoms associated with the WAD II; and
- (c) is of sufficient severity that it requires the physical treatment interventions provided under this Guideline.

An insured person who has sustained an impairment covered by this Guideline may also exhibit other common symptoms including: shoulder pain; referred arm pain (not from radiculopathy); dizziness; tinnitus; headache; difficulties with hearing and memory acuity; dysphagia; and temporomandibular joint pain. These additional symptoms would not exclude an impairment from this Guideline unless they require separate treatment from that provided under this Guideline.

3. Impairments that do not come within this Guideline

An insured person's impairment does not come within this Guideline if:

- (a) The insured person's impairment comes within the WAD I Pre-approved Framework Guideline; or
- (b) despite being assessed within 28 days of the injury as having an injury described in Section 2, there are specific pre-existing occupational, functional or medical circumstances of the insured person that:
 - i. significantly distinguish the insured person's needs from the needs of other persons with similar impairments that come within this Guideline; and
 - ii. constitute compelling reasons why other proposed goods or services are preferable to those provided for under this Guideline.

4. Responsibilities of the initiating health practitioner

The initiating health practitioner:

- (a) is a health practitioner as defined by the SABS who is authorized by law to treat the injury and has the ability to deliver all the goods/services provided for in this Guideline;
- (b) initiates treatment by submitting a Treatment Confirmation Form;
- (c) provides a significant portion of the goods and services;
- (d) may co-ordinate the provision of any goods and services covered by this Guideline and provided to the insured person by another regulated health professional, or directly supervise the provision of any additional goods and services to the insured person by an unregulated provider, where such treatment is needed by the insured person and is provided under this Guideline;
- (e) shall have overall accountability for:
 - i. assessing the need for and implementing goods and services such that the treatment elements in this Guideline are addressed as required and appropriate;
 - ii. ensuring the use of the most appropriate provider(s);
 - iii. documenting, communicating and billing as required by the Guideline;
 - iv. reporting outcomes to the insured person and insurer when treatment is inappropriate or ceases;
 - v. participating in monitoring the effectiveness of the Guideline by fully completing the forms required by this Guideline; and
- (f) determines the presence of any barriers which might delay recovery.

5. Providers covered by this Guideline

The initiating health practitioner may include treatment by other providers in the Treatment Confirmation Form. This Guideline covers treatment by the initiating health practitioner and other providers, including unregulated providers where the treatment is directly supervised by a regulated health professional and is not a controlled act as defined by the *Regulated Health Professions Act, 1991*.

6. Switching initiating health practitioners

If for any reason an insured person receiving treatment under this Guideline wishes to change his or her initiating health practitioner, the insured person and the new practitioner must inform the insurer through submission of a new Treatment Confirmation Form. In the new Treatment Confirmation Form, the insured person will give consent for the insurer to contact the original initiating health practitioner to determine what goods and services referred to in the original Treatment Confirmation Form have not been provided and the insurer will then fill in this amount in Part 9 of the form.

7. Treatment/assessments covered by this Guideline

There will typically be one Treatment Confirmation Form which will be prepared by the initiating health practitioner.

The treatment commences with the insured person's first assessment by the initiating health practitioner.

If treatment is initiated during the first 7 days following an accident, the duration of treatment will be 7 weeks. If treatment is initiated between 8 and 28 days following an accident, the duration of treatment will be 6 weeks.

In the first week of treatment under the Guideline emphasis will be on assessment, education, reassurance and pain control and may include physician referral for prescription medication.

The course of treatment may involve the following: reassurance, pain control, mobilization/manipulation, education, and activation (normal daily activities and active exercise).

Education materials titled *Getting the Facts About Whiplash*, developed by regulated health professionals and the insurance industry, will be provided by the initiating health practitioner to all insured persons covered by this Guideline. This material may be found in Appendix E.

The importance of positive messaging is recognized, and it is therefore expected that, at the initial visit and assessment and at subsequent visits, the insured person will be provided with:

- education regarding "hurt does not equal harm;" and
- reassurance that most people with WAD II and associated complaints of back symptoms recover within the first few weeks following the injury.

Emphasis will be on the insured person's responsibility for his or her recovery and the return to normal activities. The frequency of goods and services will diminish as the insured person progresses.

If prescription medication is needed, a referral to a physician or nurse practitioner is necessary. Regulated health professionals may provide general information on the use of over-the-counter medications, but insured persons should be encouraged to consult a physician, nurse practitioner, or pharmacist on the specific use of these medications.

Not all individuals with WAD II will require any or all of the goods and services included within this Guideline. The provider is responsible for determining the need for goods and services and whether the prescribed goods and services are producing significant progress toward recovery and should be continued under the Guideline. If the insured person has recovered before the completion of the treatment outlined in this Guideline, the insured person should be discharged from treatment.

8. Ancillary goods or services (SABS s. 37.2)

With prior insurer approval, certain ancillary goods or services may be proposed by the initiating health practitioner or family physician or insurer and carried out by a regulated health professional while the insured person continues to be covered by this Guideline. Prior approval from the insurer must be requested on a separate Treatment Confirmation Form. If the insurer does not give its approval within 5 business days, as outlined in the SABS, that dispute may proceed to a Designated Assessment Centre for review. If the insurer fails to respond within the prescribed time period, the insurer must pay for the ancillary goods or services delivered under the Treatment Confirmation Form.

For the purposes of this Guideline, ancillary goods or services which may be requested are an Activities of Normal Life Intervention (ANLI), in order to identify and evaluate areas of functional difficulty or barriers to recovery due to the WAD II or back pain and to implement strategies for recovery. An ANLI is not an assessment for the purpose of determining eligibility for housekeeping, attendant care or weekly benefits.

The insured person must be present during the ANLI (excluding reporting back).

The ANLI will take no more than 4 hours for the regulated health professional to complete, including preparation of the report (not including travel time/mileage).

The regulated health professional must report back to the initiating health practitioner (where not the same person), insurer, insured person and family physician and comment on assessment findings, treatment interventions provided and recommendations.

If, upon completion of the ANLI, the regulated health professional identifies a need for further goods and services, she or he will complete a Treatment Plan and submit the request to the insurer.

9. Supplementary goods and/or services

Without prior insurer approval, the initiating health practitioner may provide supplementary goods and/or services where they are needed for the management of one or more minor soft tissue injury/ies which:

- (a) resulted from the same accident as the WAD II and requires treatment;
- (b) is/are unrelated to the WAD II with or without back pain and its common symptoms;
- (c) is/are not of sufficient severity to exclude the insured person's impairment under this Guideline; and
- (d) can be fully treated by the provider within the time frame of this Guideline.

The impairment addressed and the services and/or goods must be specified by the initiating health practitioner on a Treatment Confirmation Form and the maximum total cost payable by the insurer for the goods and services provided under this section is \$200.

10. Treatment deemed insufficient or inappropriate

If the initiating health practitioner determines that treatment under this Guideline is no longer appropriate or sufficient for the insured person because the insured person is not making sufficient progress towards recovery, the initiating health practitioner will advise the insurer and the insured person (using the WAD I/WAD II PAF Discharge & Status Report form). The initiating health practitioner's options then are the following:

- (a) submit a Treatment Plan; or
- (b) submit a Treatment Plan and make a referral to the insured person's physician or another regulated health professional; or
- (c) with insurer agreement, extend treatment under this Guideline for no more than 4 visits and 2 weeks beyond end of regular duration and at a price determined by the insurer and initiating health practitioner; or
- (d) make a referral to the insured person's physician or another regulated health professional.

While treatment/referral decisions are being considered, the initiating health practitioner may:

- (e) stop the treatment where it is not appropriate (or no longer needed); or
- (f) continue treatment until a decision is reached on the action recommended by the initiating health practitioner.

The SABS provides that an insurer may reject a Treatment Plan that provides for goods and services to be received during any period in which the insured person is receiving goods and services under this Guideline and the insurer's determination is not subject to dispute.

However, the SABS also provides that nothing prevents an insured person, while receiving goods and services under this Guideline, from submitting a Treatment Plan applicable to a period other than the period covered by this Guideline. If the insurer does not approve the Treatment Plan within the time period prescribed in the SABS, that dispute may proceed to a Designated Assessment Centre for review.

11. Completing the treatment under this Guideline

Upon completion of treatment, the initiating health practitioner will prepare a final report which will indicate the insured person's outcomes from treatment.

If an insured person elects to end treatment under this Guideline, he or she may only resume treatment at a later date if this will not extend the overall duration and expenditure limits of the Guideline.

When an insured person is receiving treatment under the Guideline, the termination options are:

- i. Resolved and discharged within 6 weeks (WAD I/WAD II PAF Discharge & Status Report completed by initiating health practitioner);
- ii. Condition improving, but improvement is insufficient at the end of the treatment (further or other treatment beyond the Guideline is dependent upon the Treatment Plan application and approval process of the SABS);
- iii. Not resolving (decision made as soon as possible) and the initiating health practitioner completes the WAD I/WAD II PAF Discharge & Status Report form and discharges the insured person;
- iv. Insured person unreasonably fails to participate in treatment. This may be inferred from the insured person's non-attendance at 2 consecutive appointments or 4 appointments overall without a reasonable explanation. Provider required to complete WAD I/WAD II PAF Discharge & Status Report form; or
- v. Insured person withdraws consent.

12. Reporting requirement for initiating health practitioners

The initiating health practitioner is expected to establish clinical outcome goals for the insured person receiving treatment under this Guideline that are consistent with the goals of return to normal activities in the early stages of recovery and reducing the risk of chronicity. Throughout the course of treatment the initiating health practitioner is expected to use appropriate measures/indicators to evaluate progress towards achievement of these goals.

For the purposes of documenting the impact of the Guidelines on an insured person whose impairment comes within this Guideline and contributing to the overall evaluation of the Guideline, the initiating health practitioner must complete the WAD I/WAD II PAF Discharge & Status Report form.

13. Provider reimbursement

An initiating health practitioner who provides a good and/or service to an insured person in accordance with the Guideline must submit a Treatment Confirmation Form not later than 5 business days after first seeing the insured person.

The SABS provides that the insurer must confirm to the initiating health practitioner no later than 5 business days after receiving the Treatment Confirmation Form, that the auto insurance policy referenced in the Treatment Confirmation Form was in force on the date of the accident. Payment to the initiating health practitioner may be denied due to coverage issues or exclusions set out in the SABS.

The insurer's payment will follow receipt of a completed Treatment Confirmation Form, Application for Accident Benefits and Auto Insurance Standard Invoice, Version C. The insurer is not obliged to make payment until after the insurer has received an Application for Accident Benefits.

In the case of the final invoice, the insurer's payment will follow receipt of a WADI/WAD II PAF Discharge & Status Report and Auto Insurance Standard Invoice, Version C.

Where an x-ray service is provided to an insured person whose impairment comes within this Guideline by a chiropractor who is an initiating health practitioner, that service is payable without insurer approval and subject to the reimbursement schedule outlined in Appendix D to this Guideline.

14. Content of appendices

Appendix A sets out the payment schedule in chart form.

Appendix B sets out an overview of the expected course of treatment for an insured person whose impairment comes within this Guideline. Providers will individualize these treatment directives for the needs of each insured person.

Appendix C sets out what goods/services an insurer is not obliged to fund pursuant to this Guideline for an insured person whose impairment comes within this Guideline.

Appendix D outlines the payment schedule for x-rays provided pursuant to this Guideline for an insured person whose impairment comes within this Guideline. Any other x-ray service is subject to insurer approval.

Appendix E contains the educational brochure titled *Getting the Facts About Whiplash*.

Appendix A - WAD II Payment Schedule

Health care providers are entitled to the following reimbursement for treatment of an insured person whose impairment comes within this Guideline. Fees are payable where the insured person has received any treatment in that week including where treatment has been discontinued.

Week 1	\$300
Weeks 2 and 3	\$540
Discharge at end of Week 3 and monitoring	\$200
Weeks 4, 5 and 6	\$510
Final assessment and completion of report	\$100
Supplementary goods and services	\$200
Transfer fee if changing initiating health practitioner	\$60

Appendix B - WAD II Course of treatment

Weeks 1 to 3	Treatment/Services
<p><u>Initial Visit / Week 1:</u></p>	<ul style="list-style-type: none"> • Initial visit and up to 3 treatment sessions • Conduct assessment including history, physical exam, x-rays (subject to Appendix D in Guideline) to determine if criteria met for inclusion in the Guideline, relationship of complaints to the accident, the need for the recommended goods and services if any and identification of any potential barriers to recovery • Complete Treatment Confirmation Form • Provide “Getting the Facts About Whiplash” • Manage pain as appropriate (may include physician referral for prescription medication) • Prescribe mild home exercise to improve range of motion • Initiate manipulation/mobilization, if appropriate, to improve function • Consider prognosis and need for ANLI
<p><u>Visits in Weeks 2 and 3:</u></p>	<ul style="list-style-type: none"> • 2 to 4 treatments/monitoring sessions per week expected in this block • Provide advice and reassurance to encourage return to usual activities
<p><u>Considerations for Providers at the end of Week 3:</u></p> <p>If WAD improving but further goods and services required:</p>	<ul style="list-style-type: none"> • Provide advice and reassurance to encourage maintenance of usual activities as soon as possible • Manage pain as appropriate • Prescribe mild home exercise and, if necessary, mild supervised exercise • Utilize manipulation/mobilization and/or physical therapies if required as part of a strategy that promotes activation and return of mobility
<p><u>Considerations for Providers at the end of Week 3:</u></p> <p>If WAD II not resolving or improving:</p>	<ul style="list-style-type: none"> • Re-evaluate • Consider need for ANLI
<p><u>Considerations for Providers at the end of Week 3:</u></p> <p>If WAD II resolution expected without further intervention:</p>	<ul style="list-style-type: none"> • Discharge from treatment with advice and reassurance • Monitor
<p>If discharged during Weeks 2 or 3 or at end of Week 3:</p>	<ul style="list-style-type: none"> • Discharge from treatment with advice and reassurance and complete WAD I/WAD II Discharge & Status Report • Monitor insured person

Weeks 4, 5 and 6	<ul style="list-style-type: none"> At or about day 21 evaluate progress and plan for next 21 days 1 - 3 treatment sessions per week expected in this block
<u>Considerations for providers during weeks 4-6:</u> If WAD II resolution expected without further interventions:	<ul style="list-style-type: none"> Discharge from treatment with advise and reassurance and Monitor
<u>Considerations for providers during weeks 4-6:</u> If WAD II resolution expected by the end of treatment under the Guideline:	<ul style="list-style-type: none"> Provide advice and reassurance to encourage return to usual activities as soon as possible Manage pain as appropriate Prescribe mild home exercise, and if necessary, provide supervised exercise Utilize manipulation/mobilization and/or physical therapies if required as part of a strategy that promotes activation and return of mobility
If WAD II is resolving or improving but resolution not expected by end of treatment under the Guideline:	<ul style="list-style-type: none"> Advise insurer including presence of any barriers to recovery Provide advice and reassurance to encourage return to usual activities as soon as possible Manage pain as appropriate Prescribe mild home exercise Consider more intensive manipulation/mobilization and/or physical therapies as part of a strategy that promotes activation and return of mobility Consider need for ANLI Consider supervised exercise and conditioning program Consider requesting an extension of treatment under this Guideline from insurer of up to 4 visits and 2 weeks or, if more treatment is needed, submit Treatment Plan to insurer
If WAD not resolving or improving:	<ul style="list-style-type: none"> Advise insurer and, if appropriate, insured person's treating health practitioner Reassess Submit Treatment Plan and/or refer to appropriate regulated health professional
Completion of week 6:	<ul style="list-style-type: none"> Final assessment and report to insurer and insured person

Appendix C - Goods and services not covered in the Guideline

An Insurer is not obliged to pay pursuant to this Guideline for the following goods/services rendered to an insured person with an impairment that comes within this Guideline:

- Cervical pillows;
- Advice supporting inactivity or bedrest;
- Injections of anaesthetics, sterile water or steroids to the neck;
- Soft collar for more than 2 days;
- Spray and stretch; and
- Magnetic necklaces.

Note: Adjunct passive modalities (transcutaneous electrical nerve stimulation, ultrasound, massage, heat/cold application, short term bedrest) are included in the funding where part of strategy promoting activation and return to mobility.

Appendix D - Payment Schedule for X-Rays

X-ray services for an insured person with an impairment that comes within this Guideline are payable under the following circumstances:

- X-rays listed below do not require insurer approval, but fees may not exceed those listed in table below. Any other x-rays require insurer/DAC approval.
- No other comparable x-rays have been taken by another health practitioner or facility since the accident.
- Any available funding from OHIP or collateral insurance is utilized before the insurer is billed.
- The insured person displays one or more of the following characteristics:
 - Suspicion of bony injury;
 - Suspicion of degenerative changes, instability, or other conditions of sufficient severity that counter indications to one or more interventions must be ruled out;
 - Suspicion of rheumatoid arthritis;
 - Suspicion of osteoporosis; or
 - History of cancer.

Description	CCI		Maximum Fee (\$)
	Code	Attribute	
<u>Cervical Spine</u>			
2 or fewer views	3.SC.10	CXA	\$35.20
3-4 views	3.SC.10	CXB	\$42.00
5-6 views	3.SC.10	CXC	\$48.00
more than 6 views	3.SC.10	CXD	\$56.64
<u>Thoracic Spine</u>			
2 or fewer views	3.SC.10	THA	\$32.85
3-4 views	3.SC.10	THB	\$43.23
<u>Lumbar or Lumbosacral spine</u>			
2 or fewer views	3.SC.10	LBA or LSA	\$35.20
3-4 views	3.SC.10	LBB or LSB	\$42.00
5-6 views	3.SC.10	LBC or LSC	\$48.00
More than 6 views	3.SC.10	LBD or LSD	\$55.86

Appendix E - Getting the Facts about Whiplash

Getting the facts about Whiplash: Grades I and II

People injured in car accidents sometimes experience a strain of the neck muscles and surrounding soft tissue, known commonly as whiplash. This injury often occurs when a vehicle is hit from the rear or the side, causing a sharp and sudden movement of the head and neck. Whiplash may result in tender muscles (Grade I) or limited neck movement (Grade II). This type of injury is usually temporary and most people who experience it make a complete recovery. If you have suffered a whiplash injury, knowing more about the condition can help you participate in your own recovery. This brochure summarizes current scientific research related to Grade I and II whiplash injuries.

Understanding Whiplash

- Most whiplash injuries are not serious and heal fully.
- Signs of serious neck injury, such as fracture, are usually evident in early assessments. Health care professionals trained to treat whiplash are alert for these signs.
- Pain, stiffness and other symptoms of Grades I or II whiplash typically start within the first 2 days after the accident. A later onset of symptoms does not indicate a more serious injury.
- Many people experience no disruption to their normal activities after a whiplash injury. Those who do usually improve after a few days or weeks and return safely to their daily activities.
- Just as the soreness and stiffness of a sprained ankle may linger, a neck strain can also feel achy, stiff or tender for days or weeks. While some patients get better quickly, symptoms can persist over a longer period of time. For most cases of Grades I and II whiplash, these symptoms gradually decrease with a return to activity.

Daily Activity and Whiplash

- Continuing normal activities is very important to recovery.
- Resting for more than a day or two usually does not help the injury and may instead prolong pain and disability. For whiplash injuries, it appears that "rest makes rusty."
- Injured muscles can get stiff and weak when they're not used. This can add to pain and can delay recovery.
- A return to normal activity may be assisted by active treatment and exercises.
- Cervical collars, or "neck braces," prevent motion and may add to stiffness and pain. These devices are generally not recommended, as they have shown little or no benefit.
- Returning to activity maintains the health of soft-tissues and keeps them flexible - speeding recovery. Physical exercise also releases body chemicals that help to reduce pain in a natural way.
- To prevent development of chronic pain, it is important to start moving as soon as possible.

Tips For Return To Activity

- Avoid sitting in one position for long periods.
- Periodically stand and stretch.
- Sit at your workstation so that the upper part of your arm rests close to your body, and your back and feet are well supported.
- Adjust the seat when driving so that your elbows and knees are loosely bent.
- When shopping or carrying items, use a cart or hold things close to the body for support.
- Avoid contact sports or strenuous exercise for the first few weeks to prevent further injury. Ask your health professional about other sporting or recreational activities.
- Make your sleeping bed comfortable. The pillow should be adjusted to support the neck at a comfortable height.

Treating Whiplash

- Research indicates that successful whiplash treatment requires patient cooperation and active efforts to resume daily activity.
- A treating health care professional will assess your whiplash injuries, and discuss options for treatment and control of pain.
- Although prescription medications are usually unnecessary, temporary use of mild over-the-counter medication may be suggested, in addition to ice or heat.
- Your treating health care professional may recommend appropriate physical treatment.

Avoiding Chronic Pain

- Some whiplash sufferers are reluctant to return to activity, fearing it will make the injury worse. Pain or tenderness may cause them to overestimate the extent of physical damage.
- If your health professional suggests a return to activity, accept the advice and act on it.
- Stay connected with family, friends and co-workers. Social withdrawal can contribute to depression and the development of chronic pain.
- If you are discouraged or depressed about your recovery, talk to your health professional.
- Focus on getting on with your life, rather than on the injury!

Preventing Another Whiplash Injury

- Properly adjusting the height of your car seat head restraint (head rest) will help prevent whiplash injury in an accident. In an ideal adjustment, the top of the head should be in line with the top of the head restraint and there should be no more than 2 to 5 cm between the back of the head and the head restraint.

This brochure provides general information about whiplash injuries. It does not replace advice from a qualified health care professional who can properly assess a whiplash injury and recommend treatment.

The information highlights the latest available scientific research on whiplash and has been endorsed by the following groups:

Insurance Bureau of Canada (IBC)
Ontario Chiropractic Association (OCA)
Ontario Massage Therapist Association (OMTA)
Ontario Physiotherapy Association (OPA)
Ontario Society of Occupational Therapists (OSOT)