

List of WCAT Decisions No Longer Noteworthy

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WCAT-2004-04928

This decision was noteworthy because it determined that WCAT had jurisdiction to reconsider Appeal Division decisions on common law grounds. Now see WCAT-2008-00454 and the amended item #15.24 of the *WCAT Manual of Rules of Practice and Procedure* which provides that WCAT does not have such jurisdiction.

WCAT-2005-01200

This decision was noteworthy as an example of an analysis of the meaning of "recurrence of a disability" in section 35.1(8) of the *Workers Compensation Act* (Act). A recurrence of disability was found to include a worsening of a permanent condition. Now see *WCAT-2005-01710, Cowburn v. Workers' Compensation Board of British Columbia*, 2006, BCSC 722, and new policy #1.03(4)(b) of the *Rehabilitation Services and Claims Manual* (RSCM) which provides that a recurrence does not include a deterioration of a permanent condition.

WCAT-2005-03622-RB

This precedent panel decision was set aside on judicial review in *Johnson v. Workers' Compensation Board*, 2007 BCSC 1410, where the court found the Board's new interest policy, item #50.00 of the *Rehabilitation Services and Claims Manual, Volumes I and II*, was patently unreasonable. Also see the reconsideration decision of this decision in WCAT-2007-04002 (a precedent panel and noteworthy decision).