

## Draft Regulation

Act respecting industrial accidents and occupational diseases  
(chapter A-3.001)

### Rehabilitation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting rehabilitation, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail and submitted for approval to the Government in accordance with the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) on the expiry of 45 days following this publication.

The draft Regulation determines the cases in which and conditions on which a worker may be granted the rehabilitation measures provided for in Chapter IV of the Act respecting industrial accidents and occupational diseases by the Commission before the consolidation of an employment injury. It also determines the rehabilitation measures that may be granted, in addition to those provided for in Chapter IV of the Act, before and after the consolidation of an employment injury. Last, it establishes the rules enabling an employer to choose one of the options in the second paragraph of section 180 of the Act for the payment of a worker's salary or wages when the Commission implements, with the employer, measures that favour the worker's reinstatement pursuant to the second paragraph of section 145 of the Act, or provides for the worker's progressive return to work in order to facilitate the worker's reinstatement with the employer pursuant to section 167.2 of the Act.

Further information on the draft Regulation may be obtained by contacting Mireille Huot, Strategic Advisor and Executive Assistant, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1600, avenue D'Estimauville, 6<sup>e</sup> étage, Québec (Québec), G1J 0H7; email: [DGIR-bureaudedirection@cnesst.gouv.qc.ca](mailto:DGIR-bureaudedirection@cnesst.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Claude Beauchamp, Vice President, compensation and worker reinstatement, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1600, avenue d'Estimauville, 7<sup>e</sup> étage, Québec (Québec), G1J 0H7; email: [VPIRT-Bureau\\_VPIRT@cnesst.gouv.qc.ca](mailto:VPIRT-Bureau_VPIRT@cnesst.gouv.qc.ca).

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## Regulation respecting rehabilitation

Act respecting industrial accidents and occupational diseases  
(chapter A-3.001, s. 454, 1st par., subpars. 3.0.1 to 3.0.3).

### CHAPTER I GENERAL

**1.** This Regulation determines the cases in which and conditions on which a worker may be granted the rehabilitation measures provided for in Chapter IV of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) by the Commission before the consolidation of an employment injury.

It also determines the rehabilitation measures that may be granted, in addition to those provided for in Chapter IV of the Act, before and after the consolidation of an employment injury, and the cases in and conditions on which they are granted by the Commission.

Last, it establishes the rules enabling an employer to choose one of the options, from among those set out in the second paragraph of section 180 of the Act, for the payment of a worker's salary or wages when the Commission implements, with the employer, measures that favour the worker's reinstatement pursuant to the second paragraph of section 145 of the Act, or when the Commission provides for the worker's progressive return to work in order to facilitate the worker's reinstatement with the employer pursuant to section 167.2 of the Act.

**2.** Where the Commission directs a worker to an external professional resource, the following requirements apply:

(1) if the resource must furnish a report, the report must be transmitted to the Commission within 15 days after the date of the resource's last meeting with the worker or the event giving rise to the report;

(2) the resource must notify the Commission without delay if supplementary means must be deployed to ensure the success of a rehabilitation measure;

(3) the resource must conduct any follow-up requested by the Commission, in addition to the mid-point or periodic telephone follow-up required by regulation.

In this Regulation, an external professional resource means an appropriate person or service to whom or to which the Commission directs a worker to receive professional services determined as part of a rehabilitation measure in accordance with section 182 of the Act.

**3.** Subject to sections 13 and 73, when an external professional resource must furnish a report to the Commission, the Commission pays the cost of drafting the report up to a maximum of 2 hours per resource involved, using the hourly rate provided for in the contract for professional services entered into by the Commission and the external professional resource.

The Commission also pays the cost of any mid-point or periodic telephone follow-up required by regulation, and any follow-up conducted at the Commission's request, up to a maximum of 15 minutes per follow-up, using the hourly rate provided for in the contract for professional services entered into by the Commission and the external professional resource.

**4.** The reports provided for in subdivisions 1, 2 and 3 of Division II of Chapter II of this Regulation must be furnished to the Commission by the external professional resource, unless equivalent reports are provided for in an agreement between the Commission and the Minister of Employment and Social Solidarity in accordance with section 182.1 of the Act, in which case only the equivalent reports need be furnished.

## CHAPTER II REHABILITATION MEASURES BEFORE CONSOLIDATION

### DIVISION I REHABILITATION MEASURES FOR A PURPOSE OTHER THAN TO FAVOUR VOCATIONAL REINTEGRATION

**5.** The Commission may, before the consolidation of an employment injury, grant the following rehabilitation measures provided for in section 152 of the Act, for a purpose other than to favour vocational reintegration:

- (1) professional psycho-social services;
- (2) the adaptation of a residence;
- (3) the adaptation of a principal vehicle;
- (4) the adaptation of recreational equipment;
- (5) the reimbursement of child care expenses;
- (6) the reimbursement of the cost of ordinary maintenance work on a residence.

The rehabilitation measures provided for in the first paragraph may be granted by the Commission in the cases and on the conditions provided for in this Division, which complete those provided for in Chapter IV of the Act.

**6.** In addition to the rehabilitation measures provided for in section 5, the Commission may, before the consolidation of an employment injury, grant the following rehabilitation measures for a purpose other than to favour vocational reintegration:

- (1) assisted procreation;
- (2) specialized interdisciplinary rehabilitation services.

The rehabilitation measures provided for in the first paragraph may be granted by the Commission in the cases and on the conditions provided for in this Division.

### *§1. Professional psycho-social services*

**7.** On the recommendation of a health worker or the health professional in charge of the worker, or on its own initiative, the Commission may grant a worker the measure consisting of furnishing professional psycho-social services to compensate for the personal difficulties resulting from the worker's employment injury that hinder the worker's social rehabilitation process.

**8.** When the Commission grants the measure and cannot furnish the services itself, it directs the worker to an external professional resource for the furnishing of the following services:

- (1) an evaluation of the worker's psycho-social needs;
- (2) the implementation of a psycho-social intervention plan.

**9.** When the Commission directs the worker to an external professional resource, professional psycho-social services are furnished to the worker up to a maximum of

- (1) 4 hours for the evaluation of the worker's psycho-social needs;
- (2) 21 hours for the implementation of a psycho-social intervention plan.

When the maximum of 4 hours for the evaluation of psycho-social needs is not reached, the remainder of the hours may be used for the implementation of the psycho-social intervention plan.

When the external professional resource recommends that the implementation of the psycho-social intervention plan continue beyond the number of hours provided for in subparagraph 2 of the first paragraph, the Commission grants the worker up to a maximum of 10 supplementary hours of psycho-social intervention.

**10.** When services to evaluate the worker's psycho-social needs are dispensed by an external professional resource, the resource must furnish an evaluation report to the Commission which must, in particular, contain

- (1) the contact information for the worker and the external professional resource;
- (2) the case history and any psycho-social antecedents that may have an impact on the intervention plan;
- (3) the worker's perception of the situation as it relates to the employment injury and the worker's ability to return to work;
- (4) an analysis of all the information, including clinical observations;
- (5) if applicable, a description of the personal intervention plan and the target objectives;
- (6) the indicators to be used to measure the worker's progress;
- (7) the conclusions of the psycho-social evaluation and the recommendations made;
- (8) the signature of the external professional resource who furnished the services and the date of signing.

**11.** When a psycho-social intervention plan is implemented by an external professional resource, the resource must furnish a progress report, or a final report, to the Commission which must, in particular, contain

- (1) the contact information for the worker and the external professional resource;
- (2) the interventions implemented to achieve the target objectives;
- (3) the worker's perception of the progress made or the achievement of the target objectives;
- (4) an analysis and evaluation of the results taking the progress indicators into account;
- (5) the reasons for ending an intervention, if applicable;
- (6) if applicable, the changes to be made to the intervention plan or recommendations, or any new recommendations;
- (7) the signature of the external professional resource who furnished the services and the date of signing.

A progress report must be completed after 6 hours of intervention, but not more than once every 12 hours of intervention or once every 3 months, as the external professional resource decides.

**12.** The external professional resource must conduct a mid-point telephone follow-up with the Commission focusing, in particular, on the measured progress made by the worker and, if required, on an adjustment of the intervention plan.

**13.** The Commission pays the cost of drafting the evaluation report of the worker's psycho-social needs up to a maximum of

(1) 8 hours, if it is drafted by a neuropsychologist, based on the hourly rate in the contract for professional services between the Commission and the external professional resource;

(2) 2 hours, if it is drafted by a psychologist, psycho-therapist or other external professional resource, based on the hourly rate in the contract for professional services between the Commission and the external professional resource.

The Commission pays the cost of drafting the progress report up to a maximum of one hour, based on the hourly rate in the contract for professional services between the Commission and the external professional resource.

The Commission pays the cost of drafting the final report up to a maximum of 2 hours, based on the hourly rate in the contract for professional services between the Commission and the external professional resource.

## **§2. *Adaptation of a residence***

**14.** For the purposes of this subdivision,

“necessary equipment” means equipment that is generally present in a residence, but has specific characteristics to allow the worker to have access to and use it, as well as the equipment needed to allow the worker to enter, leave and have access to the things and conveniences in the residence autonomously;

“specialized equipment” means equipment that is not generally present and not generally used in a residence.

**15.** The Commission may grant a worker the measure consisting of the adaptation of the worker's residence on the following conditions:

(1) the worker has sustained severe permanent physical impairment as a result of the employment injury, or will be likely to have sustained such impairment at the consolidation of the injury;

(2) the residence is the worker's main residence;

(3) the residence of the worker, whether the owner or the lessee, is insured;

(4) the adaptation is necessary and constitutes the appropriate solution to enable the worker to enter and leave autonomously and to have access to the things and conveniences in the residence autonomously;

(5) the worker undertakes to live in the residence for at least three years;

(6) if the worker is a lessee, the worker provides the Commission with a copy of the lease with a minimum term of three years, obtains written authorization from the owner for the adaptation work, and furnishes the Commission with a copy of the authorization.

**16.** The contract for adapting the worker's residence must be entered into by the contractor who will carry out the work and the worker or the worker's mandatary.

**17.** The Commission evaluates the worker's needs, if applicable and in collaboration with the worker and the external professional resource.

The external professional resource evaluates, in particular, whether adaptations are needed to meet the worker's needs resulting from the employment injury and, if applicable, recommends the adaptations to be made. It must furnish the Commission with an evaluation report.

**18.** In addition to the additional insurance and maintenance costs for the residence arising from the adaptation, the Commission reimburses the worker for the following costs:

(1) the travel and living expenses resulting from the actions taken to adapt the worker's residence or from a temporary relocation during the work, in accordance with the rates provided for in the Regulation respecting travel and living expenses (chapter A-3.001, r. 8);

(2) the fees charged for obtaining authorizations, permits or other documents to carry out the work;

(3) the cost of modifying the immovable property, including the cost of labour and materials;

(4) the cost of purchasing and installing necessary equipment for the adaptation of a worker's residence;

(5) the cost of purchasing, installing and maintaining specialized equipment, as well as repair or retraining period costs when the equipment has deteriorated under normal use;

(6) the following costs resulting from the worker's moving to a new residence that has been or may be adapted, once the costs have been authorized and on presentation of supporting documents:

(a) the cost of transporting the furniture and personal effects of the worker, the worker's spouse and the worker's dependent children;

(b) the cost of packing and unpacking furniture and personal effects;

(c) the cost of storage until the new residence can be accessed, if applicable;

(d) the cost of the insurance premium for moving and storage, if applicable.

(7) the cost of the renovation work needed to prepare the residence for the adaptations and the necessary and specialized equipment, up to a maximum of 20% of the total estimated cost for the work to adapt the residence, including tax, and up to a maximum of \$13,000 for such renovation work.

**19.** When the measure provided for in this subdivision is implemented, the Commission informs the worker that it can pay to the chosen contractor the costs of carrying out the adaptation of the worker's residence on the worker's behalf, by way of an indication of payment in accordance with article 1667 of the Civil Code of Québec, up to a maximum of the amounts that may be reimbursed to the worker pursuant to this subdivision.

A worker who wishes to proceed in accordance with the first paragraph must complete the form provided by the Commission and then furnish a copy for the Commission and the contractor.

**20.** The Commission does not reimburse the following costs:

(1) the cost of purchasing a new residence;

(2) the increased cost of rent after moving;

(3) the cost of the electricity used to carry out work or use equipment installed during the adaptation of a residence;

(4) the cost of maintaining, repairing and replacing immovable property that has been modified, even if it was provided by the Commission as part of the adaptation of a residence granted by the Commission;

(5) the additional cost of property and school taxes resulting from an assessment following the adaptation of the worker's residence.

**21.** The Commission reimburses the worker for the cost of purchasing or leasing temporary accessories such as an access ramp or other necessary accessories for access to the worker's residence until the employment injury is consolidated.

**22.** The measure consisting of the adaptation of a worker's residence may be granted again by the Commission, based on the worker's needs after the lapse of 3 years, on the same conditions as those set out in this subdivision.

Despite the first paragraph, the Commission may grant the measure again before the lapse of 3 years when the need arises because the worker has moved in one of the following situations:

(1) the worker has left the domicile of his parents or tutors, as the case may be;

(2) the worker must leave a dwelling at the request of its owner, in accordance with articles 1957 and following of the Civil Code of Québec;

(3) the worker, or a significant person without whom the worker cannot continue to live in a residence, has moved to a new work location;

(4) a change of family situation has occurred.

### **§3. Adaptation of a principal vehicle**

**23.** For the purposes of this subdivision, "equipment required for the adaptation of a principal vehicle" includes the optional equipment offered by the original manufacturer to adapt the vehicle if made necessary by the worker's situation as a result of the employment injury if, when the employment injury occurred, the worker did not possess a vehicle or possessed a vehicle that did not have that optional equipment.

**24.** The Commission may grant a worker the measure consisting of the adaptation of a principal vehicle on the following conditions:

(1) the worker has sustained severe permanent physical impairment as a result of the employment injury, or will be likely to have sustained such impairment at the consolidation of the injury;

(2) the adaptation is necessary as a result of the employment injury, either

(a) to allow the worker to access the vehicle;

(b) to enable the worker to drive the vehicle; or

(c) to allow the worker to occupy the passenger seat in the vehicle, when the worker cannot meet the conditions for obtaining a licence authorizing the operation of a vehicle because of the functional limitations resulting from the worker's employment injury;

(3) the worker is the owner or long-term lessee of the vehicle within the meaning of section 150.2 of the Consumer Protection Act (chapter P-40.1);

(4) when the worker is the long-term lessee of the vehicle, the worker obtains written authorization from the lessor allowing the adaptation work to be carried out and provides the Commission with a copy of the authorization;

(5) when the worker is the driver of the vehicle to be adapted, the worker provides the Commission, before adapting the vehicle, with a supporting document showing that the worker is authorized to drive a vehicle.

**25.** The Commission may grant the measure consisting of the adaptation of a worker's principal vehicle when the vehicle has the following characteristics:

(1) it is no more than 5 years old or, if older, is protected by a manufacturer's warranty, an extended manufacturer's warranty, or any equivalent warranty;

(2) it has passed a prior mechanical inspection carried out by a mandatary of the Société de l'assurance automobile du Québec.

The worker must furnish the Commission with the supporting documents showing that the vehicle has all the above characteristics.

**26.** An external professional resource must conduct an evaluation of the worker's needs in relation to the adaptation of the principal vehicle, containing recommendations concerning



(1) the identification of the worker's needs resulting from the employment injury that make the adaptation of the vehicle necessary;

(2) a determination of the adaptation of the worker's principal vehicle, including the equipment needed for the adaptation, made necessary by the employment injury to allow the worker to drive the vehicle or occupy the passenger seat in the vehicle, as the case may be;

(3) a validation of the fact that the recommended adaptation of the worker's principal vehicle, including the equipment needed for the adaptation, will allow the worker to drive the vehicle safely, if applicable, and to have safe access to the vehicle either alone or with assistance.

The external professional resource must furnish the Commission with an evaluation report.

**27.** A contract for the adaptation of the worker's principal vehicle must be entered into by the contractor who will perform the work and the worker or the worker's mandatory.

**28.** Every principal vehicle of a worker that has been adapted in accordance with this subdivision must pass a mechanical check carried out by a mandatory of the Société de l'assurance automobile du Québec.

**29.** In addition to the extra insurance and maintenance costs for the principal vehicle resulting from the adaptation, the Commission, on presentation of supporting documents, reimburses the worker for the following costs:

(1) the cost of having estimates produced by specialized contractors;

(2) the cost of having a mandatory of the Société de l'assurance automobile du Québec carry out a mechanical inspection of the vehicle prior to its adaptation;

(3) the cost of having a mandatory of the Société de l'assurance automobile du Québec carry out a mechanical check of the vehicle after it is adapted;

(4) the cost of purchasing, repairing, replacing and maintaining the equipment required to adapt the vehicle;

(5) the labour costs for installing the equipment needed to adapt the vehicle;

(6) the cost of transferring an adaptation made to the worker's former vehicle, including the equipment needed for the adaptation, to the worker's new vehicle, including

labour costs, except if the cost of transferring the adaptation is greater than the cost of purchasing and installing a new adaptation;

(7) the cost of an appropriate driving course, when necessary, to adjust the worker's driving style to the condition resulting from the employment injury and to the adapted principal vehicle;

(8) the cost of the proficiency examination dispensed by the Société de l'assurance automobile du Québec, when required by the Société or recommended by the external professional resource when conducting an evaluation in accordance with this subdivision;

(9) the cost of issuing and renewing the identification sticker issued by the Société de l'assurance automobile du Québec, and the certificate of issue, authorizing the worker to use parking spaces reserved for the exclusive use of handicapped persons when required because of the worker's condition resulting from the employment injury;

(10) the cost of amending the worker's driver's licence, when necessary, to add the conditions for the operation of a road vehicle that result from the employment injury.

**30.** The Commission does not reimburse the following costs:

(1) the cost of the purchase or long-term leasing of the vehicle;

(2) the cost of returning an adapted vehicle to its original state;

(3) the general maintenance costs for a vehicle;

(4) the cost of maintaining, repairing or replacing deteriorated equipment required to adapt the vehicle, when the deterioration results from the worker's neglect, in particular concerning maintenance, or misuse by the worker.

**31.** When the measure provided for in this subdivision is implemented, the Commission informs the worker that it can pay to the chosen contractor the costs of carrying out the adaptation of the worker's principal vehicle on the worker's behalf, by way of an indication of payment in accordance with article 1667 of the Civil Code of Québec, up to a maximum of the amounts that may be reimbursed to the worker pursuant to this subdivision.

A worker who wishes to proceed in accordance with the first paragraph must complete the form provided by the Commission and then furnish a copy for the Commission and the contractor.

**32.** When, because of a change in the worker's condition resulting from the employment injury, the adaptation of the worker's principal vehicle no longer meets the worker's needs, the Commission may grant the measure consisting of the adaptation of the vehicle again, on the same conditions as those set out in this subdivision.

**33.** When, after the worker's principal vehicle has been adapted, the worker changes principal vehicles, the Commission may grant the measure consisting of the adaptation of the new vehicle, on the same conditions as those set out in this subdivision.

In such a case, the transfer of the adaptation made to the worker's former principal vehicle, including the equipment required for the adaptation, to the worker's new principal vehicle must be given priority over a new adaptation of the vehicle, except if the cost of transferring the adaptation is greater than the cost of installing a new adaptation.

#### *§4. Adaptation of recreational equipment*

**34.** The Commission may grant a worker the measure consisting of adapting recreational equipment on the following conditions:

(1) the worker has sustained severe permanent physical impairment as a result of the employment injury, or will be likely to have sustained such impairment at the consolidation of the injury;

(2) the equipment is used mainly for the purpose of the worker's recreation;

(3) the adaptation is necessary as a result of the employment injury to allow the worker to use or access the equipment;

(4) the worker already possesses the equipment when the application for adaptation is made.

For the purposes of this subdivision, recreational equipment includes the necessary accessories to that equipment.

**35.** The Commission reimburses the following costs:

(1) the cost of having estimates produced by specialized contractors;

(2) the cost of purchasing the equipment required for the adaptation and the labour costs for installing the adaptations on the recreational equipment;

(3) the cost of transferring the adaptations made to recreational equipment to the worker's new recreational equipment, except if the cost is greater than the purchase and installation of new adaptations;

(4) the cost of repairing adaptations that have deteriorated through normal use, when they were paid for by the Commission;

(5) the cost of purchasing or replacing adaptations, when they cannot be repaired or transferred to new recreational equipment because of normal wear to the adaptations.

**36.** The Commission does not reimburse the following costs:

(1) the cost of purchasing, leasing or returning recreational equipment to its original state;

(2) the cost of repairing or replacing adaptations that have deteriorated through neglected maintenance or misuse;

(3) the cost of purchasing, leasing or adapting immovable property or a facility in which a person can stay;

(4) the cost of purchasing, leasing or adapting a vehicle for on-road or off-road use, the operation of which requires a licence or other similar proof of proficiency and is governed by the Highway Safety Code (chapter C-24.2) or another law.

**37.** Authorization from the Commission is required before undertaking work to adapt recreational equipment.

**38.** When the Commission directs the worker to an external professional resource to obtain an evaluation of the worker's adaptation needs, the resource must furnish the Commission with an evaluation report.

**39.** A worker who is ineligible under this subdivision and who incurs costs to adapt recreational equipment before the consolidation of the worker's injury may apply to the Commission, on presentation of supporting documents, for the reimbursement of the costs after consolidation on the following conditions:

(1) the worker is entitled to the measure after the consolidation of the employment injury pursuant to section 155.1 of the Act;

(2) the worker furnishes the Commission with the documents required pursuant to section 156 of the Act.

### §5. *Reimbursement of child care expenses*

**40.** The Commission may grant a worker who carries on an activity as part of a rehabilitation measure for a purpose other than to favour vocational reintegration, who receives personal home assistance or who, as a result of the employment injury, is lodged or hospitalized in a facility maintained by an institution referred to in paragraph 2 of section 162 of the Act, the measure consisting of the reimbursement of the child care expenses provided for in section 42, when the worker is in one of the following situations:

(1) the worker assumes alone the custody of the worker's children, either because the worker is a single parent or has sole custody or because the worker has responsibility for the children at certain times under a shared custody arrangement;

(2) the worker's spouse is unable, owing to illness or disability, to care for the children living under their roof;

(3) the worker's spouse must be absent from the residence to be with the worker when the latter is lodged or hospitalized in a facility maintained by an institution or to accompany the worker to any activity carried on by the latter as part of a rehabilitation measure for a purpose other than to favour vocational reintegration.

**41.** The Commission evaluates the worker's needs in relation to child care expenses taking into account the worker's situation when the employment injury occurred.

It re-evaluates the worker's needs if the worker's situation changes after the injury occurs.

**42.** The Commission, after authorizing the expenses and on presentation of supporting documents, reimburses any child care expenses that exceed those incurred by the worker before the employment injury occurred, if they result from the injury, up to a maximum of the amounts set out in Schedule V of the Act.

### §6. *Reimbursement of the cost of ordinary maintenance work on a residence*

**43.** The Commission may grant a worker the measure consisting of the reimbursement of the cost of ordinary maintenance work on the worker's residence on the following conditions:

(1) the worker has sustained severe permanent physical impairment as a result of the employment injury, or will be likely to have sustained such impairment at the consolidation of the injury;

(2) the worker is unable to carry out the ordinary maintenance work on the worker's residence that the worker would normally have carried out but for the employment injury;

(3) the worker's needs are likely to be permanent;

(4) the worker is in one of the following situations:

(a) the person who has carried out the work free of charge since the worker's injury occurred is no longer able to carry out the work;

(b) the worker has new maintenance needs because of changes made to the residence, and those changes are necessary;

(c) the worker has moved to a new residence.

**44.** Ordinary maintenance work on a residence is reimbursed by the Commission on the following conditions:

(1) the work maintains or prevents the degradation of the worker's principal residence and premises adjacent to the residence;

(2) the work is necessary to maintain the premises in a proper, clean, safe and accessible condition;

(3) the work is ordinary and routine, and must be carried out on a periodic or seasonal basis.

**45.** The Commission does not reimburse the cost of the following work, which is not considered to be ordinary maintenance work on a residence:

(1) repair work on the residence following breakage or damage;

(2) work to renovate or extend the residence;

(3) indoor and outdoor layout and decoration work on the residence;

(4) work carried out under a contract awarded by a co-ownership syndicate;

(5) activities funded by a grant under the Regulation respecting the standards and tables of personal home assistance (chapter A-3.001, r. 9).

**46.** For each type of maintenance work that must be carried out on the residence, the worker must furnish the Commission, when submitting the first application for reimbursement, with



(1) an estimate of the cost of the type of work concerned, when the probable cost is \$500 or less;

(2) 2 estimates of the cost of the type of work concerned, when the probable cost is over \$500.

The Commission asks the worker to provide new estimates in the following cases:

- (1) when the worker's situation changes;
- (2) when the cost of a type of work increases;
- (3) when new work is to be granted.

**47.** The Commission reimburses the worker, up to a maximum of the amount provided for in section 165 of the Act, for the cost of ordinary maintenance work on the residence as decided by the Commission, on presentation of supporting documents indicating that the payment has been made.

The cost reimbursed by the Commission includes labour costs for the performance of the work and does not include the cost of purchasing materials, if applicable.

Despite the second paragraph, the Commission may reimburse the worker for the cost of purchasing firewood in the following situations:

- (1) the worker harvested firewood on the worker's private land before the employment injury occurred and
  - (a) it is impossible for the worker to find the labour needed to harvest firewood on the land; or
  - (b) the worker has disposed of the land as a result of the employment injury;
- (2) the worker harvested firewood, with authorization, on private land or land in the domain of the State before the employment injury occurred and is no longer able to harvest firewood as a result of the employment injury.

**48.** The Commission re-evaluates the worker's needs in relation to ordinary maintenance work on the worker's residence in the following situations:

- (1) the worker suffers a severe permanent physical impairment or new functional limitations after a new employment injury occurs, or is likely to suffer such an impairment or such limitations when the new injury is consolidated;

(2) the person who has carried out the work free of charge since the worker's injury occurred is no longer able to carry out the work on a permanent basis;

(3) the worker has new maintenance needs because of changes made to the residence;

(4) the worker has moved to a new residence.

#### **§7. Assisted procreation**

**49.** The Commission may, for the purpose of social rehabilitation, grant a worker the measure consisting of assisted procreation when the health professional in charge of the worker considers that there is a link between the worker's infertility and the employment injury sustained or when another health professional considers that the measure is appropriate given the worker's state of health and confirms the planned therapeutic approach in a written notice to the Commission.

**50.** Once the Commission has given authorization, it pays the cost of the medication required and also pays the cost of the following services and expenses directly to an external professional resource holding a licence issued in accordance with the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01):

- (1) services and related expenses for artificial insemination, with or without a sperm donation, until the completion of 3 cycles, after which the Commission may request the opinion of the health professional concerning the continuation of the measure;
- (2) services and related expenses for *in vitro* fertilization, with or without a sperm or egg donation, until the completion of 3 cycles, after which the Commission may request the opinion of the health professional concerning the continuation of the measure;
- (3) services and related expenses for the freezing of embryos and gametes, as part of an *in vitro* fertilization process including, for the first year, the necessary storage;
- (4) services and related expenses for fertility preservation including, for the first five years, the necessary storage.

The Commission reimburses storage expenses for the services listed in subparagraphs 3 and 4 of the first paragraph after the periods specified, on presentation of supporting documents concerning the expenses incurred.

**51.** Examinations or treatments inherent in pregnancy are not considered to be assisted procreation services and the costs are not paid by the Commission.

*§8. Specialized interdisciplinary rehabilitation services*

**52.** On the recommendation of the health professional in charge of the worker, or on the initiative of the Commission, the Commission may grant a worker the measure consisting of providing specialized interdisciplinary rehabilitation services on the following conditions:

(1) the worker has persistent and incapacitating symptoms, whether or not post-infection, connected to the worker's employment injury;

(2) the worker has sustained severe permanent physical impairment as a result of an employment injury, or will be likely to have sustained such impairment at the consolidation of the injury.

**53.** Before granting a rehabilitation measure pursuant to this subdivision, the Commission must submit it to the health professional in charge of the worker and obtain the health professional's approval for the measure.

**54.** When granting a rehabilitation measure pursuant to this subdivision, the Commission directs the worker to an external professional resource to furnish the services included in the measure.

**55.** Specialized interdisciplinary rehabilitation services may include the following services in particular:

- (1) an initial evaluation;
- (2) group interventions;
- (3) individual interventions;

(4) services for the gradual resumption of activities with multidisciplinary monitoring.

The services may be provided on an in-person or virtual basis, depending in particular on the state of the worker's health. They are provided for a number of hours per day that depends on the worker's abilities and needs, up to a maximum of the number of hours provided for in section 56.

**56.** Specialized interdisciplinary rehabilitation services are provided to the worker by an external professional resource up to a maximum of

- (1) 18 hours for the initial evaluation;
- (2) 160 hours, spread over a maximum period of 6 months, for other specialized rehabilitation services.

**57.** Once the limit of hours provided for in paragraph 2 of section 56 is reached, the worker is, if needed, redirected to the health professional in charge of him to re-evaluate the worker's participation in the specialized rehabilitation services.

**58.** The external professional resource must furnish the Commission with an initial evaluation report which must, in particular, contain

(1) the contact information for the worker and the external professional resource;

(2) the initial screening of the worker's symptoms;

(3) the identification of the worker's needs and objectives;

(4) the recommendations concerning the implementation of the worker's intervention plan, including the general and specific objectives for each discipline involved.

**59.** The external professional resource must conduct a mid-point telephone follow-up with the Commission focusing, in particular, on the measured progress made by the worker and, if required, on an adjustment of the intervention plan.

**60.** The external professional resource must furnish the Commission with a final report which must include, in particular,

(1) a summary of the interventions completed and the worker's progress;

(2) a timeline of services, showing the worker's daily activities, including in particular the date and types of the services provided;

(3) a recommendation concerning a new granting of the measure for the worker, if applicable.

**61.** On the recommendation of the external professional resource, and with the approval of the health professional in charge of the worker, the Commission may grant again, once, the measure consisting of providing specialized interdisciplinary rehabilitation services for the worker, on the same conditions as those set out in this subdivision.

## **DIVISION II**

### **REHABILITATION MEASURE TO FAVOUR VOCATIONAL REINTEGRATION**

**62.** The Commission may, before the consolidation of an employment injury, grant the following rehabilitation measures provided for in section 167 and the second paragraph of section 145 of the Act to favour vocational reintegration:

- (1) vocational training and refresher programs;
- (2) evaluation of vocational potential;
- (3) job search support and assistance services;
- (4) the adaptation of a work station;
- (5) the reimbursement of any cost incurred to explore an employment market or to move near a new place of employment;
- (6) a measure to develop a worker's capacity to gradually resume the tasks involved in his employment.

The rehabilitation measures provided for in the first paragraph may be granted by the Commission in the cases and on the conditions provided for in this Division, which complete those provided for in Chapter IV of the Act.

**63.** In addition to the rehabilitation measures provided for in section 62, the Commission may, before the consolidation of the employment injury, grant the following rehabilitation measures to favour vocational reintegration:

- (1) professional psycho-social services;
- (2) the reimbursement of child care expenses;
- (3) services to evaluate and develop functional aptitudes;
- (4) specialized interdisciplinary rehabilitation services.

The rehabilitation measures provided for in the first paragraph may be granted by the Commission in the cases and on the conditions provided for in this Division.

#### ***§1. Vocational training and refresher programs***

**64.** For the purposes of this subdivision, the persons responsible for a vocational training program, refresher program and skills acquisition training period are external professional resources.

**65.** The Commission may grant a worker the measure consisting of a refresher program when it considers that the measure will help the worker update his knowledge in order to return to his employment or a suitable employment after the consolidation of the employment injury.

**66.** The Commission may grant a worker the measure consisting of a vocational training program, that may include a skills acquisition training period, on the following conditions:

- (1) no other measure is likely to enable the worker to carry on his employment or a suitable employment;
- (2) the measure is likely to enable the worker to perform a suitable employment for the employer or, when the employer cannot reintegrate the worker, a suitable employment elsewhere in the labour market.

**67.** A refresher or vocational training program, which may include a skills acquisition training period, may be followed in an educational institution or an industrial establishment, in Québec as far as possible.

**68.** When a refresher or vocational training program is followed in an industrial establishment, the following requirements apply:

- (1) the person responsible for the program must provide the Commission with periodic telephone follow-up;
- (2) one or more progress reports must be filed at the request of the Commission, which must, in particular, cover
  - (a) the worker's learning;
  - (b) an evaluation of the degree to which the program objectives have been achieved.

**69.** The person responsible for the program or training period must notify the Commission without delay if supplementary means must be deployed to ensure the success of the measure.

**70.** The person responsible for the program or training period must provide the Commission with mid-point telephone follow-up covering, in particular, a measurement of the worker's progress and, if needed, an adjustment to the training plan.

**71.** When the vocational training program includes a skills acquisition training period that must be followed in an industrial establishment, the following requirements apply in addition to those set out in sections 68 to 70:

(1) an agreement must be entered into by the Commission and the person responsible for the training period which must, in particular, cover

- (a) the employment targeted;
- (b) the objectives of the training period;
- (c) the tasks involved and the employment-related physical and mental requirements;
- (d) the skills needed to hold the employment and the skills that need to be developed;

(2) a training period plan must be prepared by the Commission in collaboration with the person responsible for the training period which must cover the following elements in particular:

- (a) the skills to be developed, the means used to acquire them, and the time scheduled for acquiring them;
- (b) the type and frequency of the follow-up;
- (c) the respective responsibilities of the worker, the person responsible for the training period and the Commission;
- (3) the person responsible for the training period must conduct periodic telephone follow-up with the Commission;
- (4) the person responsible for the training period must furnish one or more progress reports at the request of the Commission;
- (5) the person responsible for the training period must furnish the Commission with a final report covering the training period in the workplace and an attestation of training including an evaluation of the degree to which the objectives have been achieved and the “pass” outcome, when applicable.

**72.** The Commission reimburses the worker for the following costs, after authorizing them and on presentation of supporting documents:

- (1) the cost of training manuals and mandatory supplies charged by the educational institution;
- (2) the cost of hiring or purchasing the specialized equipment recommended by an occupational therapist or remedial teacher to compensate for the worker’s functional limitations or maximize the worker’s autonomy during the refresher program, vocational training program or training period;

(3) the cost of maintaining and repairing specialized equipment and mandatory supplies for the refresher program, vocational training program or training period that are not covered by a warranty or on which the warranty has expired.

The Commission pays the worker’s tuition fees to the educational institution.

**73.** The Commission pays the cost of drafting any progress report required by this subdivision up to a maximum of one hour, based on the hourly rate in the contract for professional services between the Commission and the person responsible for the refresher or vocational training program or skills acquisition training period.

## *§2. Evaluation of vocational potential*

**74.** The Commission may grant a worker the measure consisting of providing vocational potential evaluation services to help determine a suitable employment that the worker could hold with another employer after the consolidation of the employment injury, when at least one of the following situations occurs:

- (1) the employer ceases operations in Québec;

(2) the employment relationship between the worker and the employer is terminated when the worker resigns or the worker’s employment ends, after all recourses for the possible reinstatement of the worker in the employer’s establishment have been explored, and when there are no pending recourses between the parties concerning the employment relationship.

**75.** Before granting a rehabilitation measure pursuant to this subdivision, the Commission must submit it to the health professional in charge of the worker and obtain the health professional’s approval for the measure.

**76.** When the Commission directs the worker to an external professional resource specializing in employability, the resource must furnish the Commission with and implement an intervention plan which must, in particular, contain

- (1) an initial evaluation of appropriate services based on the worker’s vocational profile and functional aptitudes including, in particular,

- (a) a summary of the worker’s skills or an analysis of the worker’s case;
- (b) an exploration of the range of the worker’s employment possibilities;

(c) the search for and planning and monitoring of a workplace training period to allow the worker to validate a vocational choice and determine a suitable employment;

(d) the recommended duration of the measure;

(2) a mid-point telephone follow-up with the Commission focusing, in particular, on the measured progress made by the worker and, if required, on an adjustment of the intervention plan;

(3) a final report on the employment exploration process containing, in particular,

(a) a summary of the steps taken;

(b) the results of the tests used to determine the worker's profile;

(c) the conclusions and justifications rejected and retained from the exploration of employment possibilities;

(d) a recommendation concerning suitable employment for the worker based on the criteria of the Act.

### **§3.** *Job search support and assistance services*

**77.** The Commission may grant a worker the measure consisting of providing job search support and assistance services when at least one of the following situations occurs:

(1) the employer ceases operations in Québec;

(2) the employment relationship between the worker and the employer is terminated when the worker resigns or the worker's employment ends, after all recourses for the possible reintegration of the worker in the employer's establishment have been explored, and when there are no pending recourses between the parties concerning the employment relationship.

**78.** Before granting a rehabilitation measure pursuant to this subdivision, the Commission must submit it to the health professional in charge of the worker and obtain the health professional's approval for the measure.

**79.** Job search support services may, in particular, include the following services:

(1) teaching services on the operation of the computer tools and platforms used in a job search;

(2) assistance services to help the worker acquire the notions needed for a job search.

**80.** The Commission may direct the worker to an external professional resource to furnish job search support services.

When the Commission directs the worker to an external professional resource, the resource must furnish the Commission with a final intervention report containing, in particular, a summary of the steps completed and the results.

### **§4.** *Adaptation of a work station*

**81.** The Commission may, in connection with an employment injury, grant a worker the measure consisting of the adaptation of a work station on the following conditions:

(1) equipment or adjustments to the work station are needed to allow the worker to carry on his employment, an equivalent employment or a suitable employment envisaged by the Commission;

(2) the adaptation of the work station applies to the worker's principal place of work, the work vehicle used by the worker, and the equipment that is essential to perform the tasks actually performed as part of the worker's employment or the essential and characteristic tasks of a suitable employment as envisaged for the worker.

**82.** Before granting a rehabilitation measure pursuant to this subdivision, the Commission must submit it to the health professional in charge of the worker and obtain the health professional's approval for the measure.

When submitting the measure for approval, the Commission must furnish the health professional with a description of the worker's tasks, a detailed plan for the measure, including the physical requirements for the tasks involved in the employment, and the recommendations for adaptations by the external professional resource, if applicable.

**83.** When the adaptation concerns a work vehicle, the employer or the worker must, before the adaptation work is carried out, furnish a supporting document showing that the vehicle has passed a mechanical inspection carried out by a mandatary of the Société de l'assurance automobile du Québec.

**84.** The Commission may direct the worker to an external professional resource for the furnishing of the following services:

(1) an evaluation of the work station adaptations necessary to meet the worker's needs;



(2) a recommendation concerning the granting of equipment for the worker or the adjustments that must be made to the worker's work station;

(3) any report or follow-up needed for the implementation of the measure.

The external professional resource may furnish such services up to a maximum of 30 hours.

**85.** When the Commission directs the worker to an external professional resource, the resource must furnish the Commission with the following reports:

(1) an initial evaluation report which must, in particular, contain

(a) an evaluation of the work station adaptations needed to meet the worker's needs;

(b) recommendations concerning the adaptations;

(c) a detailed plan containing, in particular, a description of the work equipment, the adjustments planned and a cost estimate;

(2) a final report, after the final verification of the adaptation of the work station, containing in particular a summary of the changes made and the costs.

**86.** When a change occurs in the worker's functional aptitudes, the adaptation of the work may be adjusted on the recommendation of an external professional resource and with the approval of the health professional in charge of the worker.

**87.** The Commission reimburses, to the person who incurred it, the cost of purchasing and installing the materials and equipment needed to adapt the work station, when the adaptation was authorized by the Commission and on presentation of supporting documents. It also reimburses, on presentation of supporting documents, the cost of repairing and replacing adapted work equipment that has deteriorated, subject to section 89.

**88.** Where the adaptation is made to a work vehicle, the Commission, after authorizing the costs and on presentation of supporting documents, reimburses the following costs to the person who incurred them:

(1) the cost of having estimates produced by the external professional resource;

(2) the cost of the mandatory mechanical inspection prior to the adaptation of the vehicle;

(3) labour costs for temporary adjustments;

(4) the cost of the required equipment;

(5) the cost of the mechanical check of the vehicle after the adaptation is made, carried out by a mandatary of the Société de l'assurance automobile du Québec;

(6) the cost of an appropriate driving course, when needed to allow the worker to adapt his driving style to the condition resulting from the employment injury and the adapted work vehicle.

**89.** The Commission does not reimburse the following costs:

(1) routine maintenance costs for the work station that do not concern the adapted equipment;

(2) the cost of major and structural work on a work station, including a vehicle used for work;

(3) the cost of renovation work on a work station;

(4) the cost of repairing or replacing work equipment that has deteriorated through a lack of maintenance or misuse by the worker.

*§5. Reimbursement of any cost incurred to explore an employment market or to move near a new place of employment*

**90.** The Commission may grant a worker the measure consisting of the reimbursement of any cost incurred to explore an employment market or to move near a new place of employment when it is satisfied that one of the following conditions is met:

(1) the worker is likely to be once again able to carry on his employment once the time limit of the right to return to work provided for in section 240 of the Act has expired if, despite the process undertaken with the employer for rehabilitation purposes, including those provided for in subdivision 3 of Division I.1 of Chapter IV of the Act, the employer cannot reinstate the worker in that employment or an equivalent employment;

(2) the worker is likely to be once again able to perform a suitable employment elsewhere on the labour market since, despite the process undertaken for rehabilitation purposes, including those provided for in subdivision 3 of Division I.1 of Chapter IV of the Act, no suitable employment can be determined with the employer.

**91.** The Commission, after authorizing the costs and on presentation of supporting documents, reimburses the following costs up to the maximum amount provided for in section 177 of the Act:

(1) the travel costs incurred by the worker to explore an employment market, based on the norms and amounts provided for in the Regulation respecting travel and living expenses (A-3.001, r. 8), when the following conditions are met:

(a) it is unlikely in the present or the future that the worker will be able to hold an employment less than 50 kilometres from the worker's current residence, based on various relevant factors, including an analysis of the employment market in the region where the worker lives;

(b) the exploration of the employment market takes place over 50 kilometres from the worker's home;

(2) the costs incurred by the worker to move to a new residence, when the following conditions are met:

(a) the conditions set out in subparagraphs *a* and *b* of subparagraph 1 are met;

(b) the worker has obtained an employment that requires the worker to move because it is outside a radius of 50 kilometres from the worker's current residence, the two residences are at least 50 kilometres apart, the new residence is less than 50 kilometres from the new place of work, and the worker has applied to move to hold that employment.

The worker must furnish the Commission with at least 2 detailed estimates for the cost of moving to the new residence.

**§6.** *Measure to develop a worker's capacity to gradually resume the tasks involved in his employment*

**92.** The Commission may grant a worker a measure to develop the worker's capacity to gradually resume the tasks involved in his employment when, after evaluating the worker's needs, it considers that the measure is necessary in light, in particular, of the following elements:

(1) the information in the progress reports on the employment injury, produced by the health professional in charge of the worker or by an external professional resource to determine if the worker appears able to take part in the measure;

(2) the impact of the consequences of the employment injury likely to compromise the return to work;

(3) the expected benefits of the rehabilitation measure in preventing a work handicap situation.

**93.** Before granting a rehabilitation measure pursuant to this subdivision, the Commission must submit it to the health professional in charge of the worker and obtain the health professional's approval for the measure.

**94.** Before implementing a rehabilitation measure pursuant to this subdivision, the Commission grants the worker a preparatory measure when the health professional in charge of the worker considers that such a measure is necessary. Where applicable, the health professional in charge of the worker must indicate the preparatory measure that is needed for the worker.

**95.** When it grants the measure, the Commission directs the worker to an external professional resource to furnish the following services:

(1) an evaluation of the worker's needs and the requirements of his employment;

(2) interventions in the workplace, including an initial meeting in the workplace.

The external professional resource may furnish the services up to a maximum of 30 hours.

**96.** The external professional resource must furnish the Commission with an initial evaluation report containing, in particular,

(1) an evaluation of the worker's situation in connection with the return to work;

(2) an evaluation of the employment requirements;

(3) information on the worker's capacity to gradually resume the tasks involved in his employment;

(4) a summary of the first meeting in the workplace;

(5) a personal intervention plan and specific objectives;

(6) a plan agreed by the employer, the worker and the external professional resource, including in particular the timeline for the gradual resumption of the tasks involved in his employment, the expected duration of the services, and the expectations and the responsibilities of the parties.

**97.** The external professional resource must conduct a mid-point telephone follow-up with the Commission focusing, in particular, on the measured progress made by the worker and, if required, on an adjustment to the intervention plan or the duration of the services.

**98.** The external professional resource must furnish the Commission with a final report containing, in particular,

- (1) a summary of the interventions completed;
- (2) an analysis of the degree to which the objectives have been achieved;
- (3) a recommendation to the health professional in charge of the worker, if applicable.

**99.** On the recommendation of the external professional resource and with the approval of the health professional in charge of the worker, the Commission may again grant the worker, once, the services provided for in section 95, on the same conditions as those set out in this subdivision.

**§7. Professional psycho-social services**

**100.** The Commission may, to favour the worker's vocational reintegration, grant a worker the measure consisting of providing psycho-social intervention services to compensate for the personal difficulties arising from the injury that hinder the worker's vocational rehabilitation process.

It grants the measure and reimburses the services on the same conditions as those set out in subdivision 1 of Division I.

**§8. Reimbursement of child care expenses**

**101.** The Commission may, when a worker is participating in a rehabilitation measure pursuant to this Division, grant the worker the measure consisting of the reimbursement of the child care expenses that exceed those incurred by the worker before the employment injury, when the worker is in one of the following situations:

- (1) the worker assumes alone the custody of his children, either because the worker is a single parent or has sole custody or because the worker has responsibility for the children at certain times under a shared custody arrangement;
- (2) the worker's spouse is unable, owing to illness or disability, to care for the children living under their roof;
- (3) the worker's spouse must accompany the worker during one of the activities the worker carries out as part of a rehabilitation measure targeting vocational reintegration.

It grants the measure and reimburses the costs on the same conditions as those set out in subdivision 5 of Division I, except section 40.

**§9. Services to evaluate and develop functional aptitudes**

**102.** On the recommendation of a health worker or the health professional in charge of the worker, or on its own initiative, the Commission may grant a worker the measure consisting of providing services to evaluate and develop functional aptitudes when, after evaluating the worker's needs, the measure is necessary in light, in particular, of the following elements:

- (1) the impact of the consequences of the employment injury likely to compromise the worker's return to work;
- (2) the worker's current functional aptitudes that could represent an obstacle to the resumption of the tasks involved in his employment;
- (3) the information in the progress reports on the employment injury, produced by the health professional in charge of the worker or by an external professional resource to determine if the worker appears able to take part in the measure;
- (4) the expected benefits of the measure to lessen a work handicap situation.

**103.** Before granting a measure pursuant to this subdivision, the Commission must submit it to the health professional in charge of the worker and obtain the health professional's approval for the measure.

**104.** When it grants the measure, the Commission directs the worker to an external professional resource to furnish the services included in the measure, namely:

- (1) the evaluation of functional aptitudes;
- (2) the development of functional aptitudes.

**1. Services to evaluate functional aptitudes**

**105.** Services to evaluate functional aptitudes may, in particular, include the following services:

- (1) a general evaluation, including in particular a full report on the worker's functional aptitudes;
- (2) a job-specific evaluation, including in particular, a report on the worker's functional aptitude to carry on a specific employment, whether it is his employment, an equivalent employment or a suitable employment;

(3) services to analyze the worker's work station at the employer's establishment, based on the needs identified.

**106.** The services to evaluate functional aptitudes are provided for a number of hours up to a maximum of 6 hours per day, up to a maximum of 18 hours for such services.

**107.** The external professional resource must furnish the Commission with an evaluation report which must, in particular, contain

(1) the contact information for the worker and the external professional resource;

(2) a summary of the worker's physical capacities, including tests, activities and results;

(3) the groups of activities, positions and movements that can be performed, and those that must be avoided or restricted;

(4) detailed information on the worker's functional aptitudes and potential solutions;

(5) objectives, more specifically the functional aptitudes to be developed and the methods to be used for that development;

(6) the time needed to achieve the objectives;

(7) the conclusions concerning the potential for the rehabilitation of the worker and the prognosis for the return to work;

(8) recommendations concerning the implementation of the services to develop functional aptitudes, if applicable.

For the case contemplated in subparagraph 8 of the first paragraph, the recommendations must include a proposal for an intervention plan, including in particular the general and specific objectives for each discipline involved.

## 2. Services to develop functional aptitudes

**108.** Services to develop functional aptitudes may be provided on the following conditions:

(1) the worker has received services to evaluate functional aptitudes from an external professional resource;

(2) the evaluation report drafted by the external professional resource who provided the worker with services to evaluate functional aptitudes recommends the implementation of services to develop functional aptitudes.

**109.** Services to develop functional aptitudes may include the following services in particular:

(1) activities and specific gestures for a specific job or work station;

(2) general working activities, based on the overall requirements;

(3) physical training activities to optimize the worker's physical condition, based on the needs identified.

**110.** Services to develop functional aptitudes are provided for a number of hours varying from 3 to 6 hours per day, up to a maximum of 5 days per week.

The maximum number of hours for services to develop functional aptitudes is 160 hours, spread over a period of 8 to 10 weeks.

**111.** The external professional resource must conduct a mid-point telephone follow-up with the Commission which must focus, in particular, on a measurement of the worker's progress and, if needed, an adjustment to the intervention plan and the duration of the services.

**112.** The external professional resource must furnish the Commission with a final report containing, in particular,

(1) a description of the services and results of the tests and activities, at the beginning and end of the program;

(2) details about the degree to which the objectives determined at the start have been achieved;

(3) information about the degree of the worker's recovery with respect to the determined activities and ability to complete them in an actual work situation;

(4) a schedule of services including the worker's daily activities, and the dates and nature of the services provided to the worker;

(5) recommendations concerning a new grant of services to develop functional aptitudes, if applicable, and the prognosis for the worker remaining in or returning to employment.

**113.** On the recommendation of the external professional resource, and with the approval of the health professional in charge of the worker, the Commission may again grant the worker, once, the services provided for in section 109, on the same conditions as those set out in this subdivision.

*§10. Specialized interdisciplinary rehabilitation services*

**114.** The Commission may, to favour a worker's vocational reintegration, grant a worker the measure consisting of providing specialized interdisciplinary rehabilitation services.

It grants the measure on the same conditions as those set out in subdivision 8 of Division I.

**CHAPTER III**  
REHABILITATION MEASURES AFTER  
CONSOLIDATION

**DIVISION I**  
SOCIAL REHABILITATION MEASURES

**115.** In addition to the rehabilitation measures provided for in section 152 of the Act, a worker entitled to rehabilitation pursuant to the Act is entitled to the following measures as social rehabilitation measures:

(1) the measure consisting of assisted procreation provided for in subdivision 7 of Division I of Chapter II, on the conditions specified;

(2) the measure consisting of providing the specialized interdisciplinary rehabilitation services provided for in subdivision 8 of Division I of Chapter II, on the conditions specified, except the requirement to obtain prior approval from the health professional in charge of the worker.

**DIVISION II**  
VOCATIONAL REHABILITATION MEASURES

**116.** In addition to the rehabilitation measures provided for in section 167 of the Act, a worker entitled to rehabilitation pursuant to the Act is entitled to the following measures as vocational rehabilitation measures:

(1) the measure consisting of providing specialized interdisciplinary rehabilitation services provided for in subdivision 8 of Division I of Chapter II, on the conditions specified, except the requirement to obtain prior approval from the health professional in charge of the worker;

(2) the measure consisting of providing services to evaluate and develop functional aptitudes provided for in subdivision 7 of Division II of Chapter II, on the conditions specified, except the requirement to obtain prior approval from the health professional in charge of the worker.

**CHAPTER IV**  
FINANCIAL SUPPORT FOR EMPLOYERS

**117.** When the Commission implements measures with the employer to favour a worker's reinstatement pursuant to the second paragraph of section 145 of the Act, or when it provides for the worker's progressive return to work in order to facilitate the worker's reinstatement with the employer pursuant to section 167.2 of the Act, the employer may choose one of the options in the second paragraph of section 180 of the Act to pay the worker's salary or wages by giving the Commission verbal or written notice of the option chosen.

The employer may apply to the Commission, verbally or in writing, to change the option chosen pursuant to the first paragraph. However, the employer may only avail itself of this possibility once during the measure or progressive return to work. The change takes effect from the date of the application.

**CHAPTER V**  
TRANSITIONAL AND FINAL PROVISIONS

**118.** Where a measure has been granted to a worker and a contract for professional services has been entered into by the Commission and an external professional resource with respect to the measure before the coming into force of this Regulation, the contract continues to have effect until its completion.

**119.** Where a measure has been granted by the Commission to a worker before the coming into force of this Regulation and is under way when the Regulation comes into force, the Commission considers what has already been granted to the worker under the measure to determine the worker's entitlement for the continuation of the rehabilitation.

**120.** This Regulation comes into force on 1 October 2025.

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