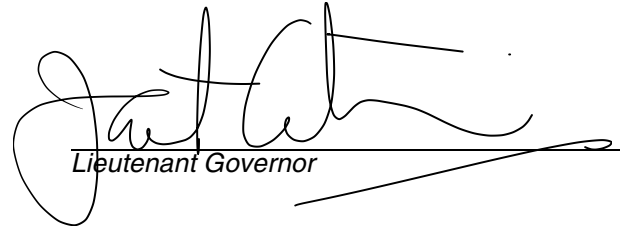


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 299

, Approved and Ordered June 10, 2024



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that the Mental Disorder Presumption Regulation, B.C. Reg. 136/2018, is amended as set out in the attached Appendix.

DEPOSITED
June 10, 2024
B.C. REG. 122/2024



Minister of Labour



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: *Workers Compensation Act*, R.S.B.C. 2019, c. 1, ss. 109 (3) and 135

Other: OIC 325/2018

R10767103

APPENDIX

1 *Section 1 (2) of the Mental Disorder Presumption Regulation, B.C. Reg. 136/2018, is repealed.*

2 *The following section is added:*

Prescribed eligible occupations

2 The following occupations, as defined in the Schedule, are prescribed as eligible occupations for the purposes of section 135 (5) of the *Workers Compensation Act*:

- (a) community integration specialist;
- (b) coroner;
- (c) emergency response dispatcher;
- (d) harm reduction worker;
- (e) health care assistant;
- (f) nurse;
- (g) parole officer;
- (h) probation officer;
- (i) respiratory therapist;
- (j) shelter worker;
- (k) social worker;
- (l) transition house worker;
- (m) victim service worker;
- (n) withdrawal management worker.

3 *The following Schedule is added:*

SCHEDULE

Definitions

1 In this regulation:

“community integration specialist” means a worker

- (a) who is appointed under the *Public Service Act*,
- (b) whose duties include supporting persons in relation to
 - (i) income assistance or disability assistance, or
 - (ii) accessing support services for trauma, mental illness or addiction, and
- (c) who works primarily in one or more of the following:
 - (i) a correctional centre, youth custody centre or penitentiary referred to in section 1 (1) of this regulation;
 - (ii) a site operated by a board as defined in section 1 of the *Health Authorities Act*;

- (iii) an emergency shelter or homeless encampment;
- (iv) a community-based location;

“coroner” means a worker

- (a) who is appointed as a coroner under section 54 of the *Coroners Act*, or
- (b) who is retained to act as a coroner under section 55 of the *Coroners Act*;

“emergency response dispatcher” means a worker whose duties include one or both of the following:

- (a) dispatching ambulance services, firefighters or police officers;
- (b) receiving emergency calls that initiate the dispatch of ambulance services, firefighters or police officers;

“harm reduction worker” means a worker

- (a) whose duties include, for the purpose of reducing the risk of toxic drug poisoning and other drug-related harms, supporting and monitoring persons who consume drugs, and
- (b) who works primarily in one or more of the following:
 - (i) the community;
 - (ii) residential facilities or units in which supportive housing services are provided;
 - (iii) premises used to provide public health interventions, including sites
 - (A) commonly known as safe consumption sites, or
 - (B) at which other types of overdose prevention services are provided;

“health care assistant” means a worker

- (a) who is registered with the BC Care Aide & Community Health Worker Registry, and
- (b) who is employed as a health care assistant in a publicly funded organization or setting;

“nurse” means a worker who is authorized under the *Health Professions Act* to practise the designated health profession of licensed practical nursing, nursing or psychiatric nursing;

“parole officer” means a worker who holds the position of parole supervisor within the meaning of section 99 (1) of the *Corrections and Conditional Release Act* (Canada);

“probation officer” means a worker who is appointed under one of the following:

- (a) section 2 (1) (a) of the *Correction Act*;
- (b) section 2 (1) (b) of the *Correction Act*, for the purpose of exercising powers and performing duties as a probation officer;
- (c) section 24 (1) (a) of the *Youth Justice Act*;
- (d) section 24 (1) (b) of the *Youth Justice Act*, for the purpose of exercising powers and performing duties as a youth probation officer;

“respiratory therapist” means a worker whose duties include assisting health professionals in evaluating, diagnosing, treating and caring for patients with respiratory or cardiopulmonary disorders;

“shelter worker” means a worker

- (a) who works at a shelter for persons experiencing homelessness, and
- (b) whose duties include the provision of one or more of the following:
 - (i) intake services;
 - (ii) supporting and monitoring residents with respect to well-being and safety;

“social worker” means a worker who is authorized, under the *Social Workers Act*, to use the title “social worker”;

“transition house worker” means a worker

- (a) who is employed in a facility that provides housing to persons who have recently left abusive relationships, and to their children, if any, and
- (b) whose duties include providing support, security and crisis intervention to one or both of the following:
 - (i) residents of the facility;
 - (ii) crisis line callers;

“victim service worker” means a worker who assists victims through a victim service within the meaning of the *Victims of Crime Act*;

“withdrawal management worker” means a worker whose duties include assessing, supervising, monitoring and stabilizing chemically-dependent persons during acute detoxification from substance use.