

Potential Suicide Risks Grounds for Workers Comp Not to Pay for Medical Pot



Does workers comp have to pay for medical marijuana legally prescribed to treat a former prison guard's work-related post-traumatic stress disorder? After ping-ponging around the workers comp appeals tribunals, a case posing this question reached the New Brunswick Court of Appeal. **Result:** The highest court in the province upheld the WHSCC's decision to deny coverage. Workers comp coverage for medical marijuana is subject to exceptions, including cases where its use might expose an injured worker to harm. In this case, the WHSCC's medical examiner found evidence suggesting that use of marijuana could increase the worker's suicidal tendencies. So, it said no to coverage. The appeals tribunal was wrong to reverse this determination, the Court concluded [[*Workplace Health, Safety and Compensation Commission v. Boudreau et al.*](#), 2021 NBCA 41 (CanLII), September 9, 2021].