



# Critical Injury Benefit

Effective Date: April 1, 2019

## Purpose

This policy provides guidance for the administration of the Critical Injury Benefit. The Critical Injury Benefit recognizes and compensates for the immediate impact of severe and traumatic service-related injuries or illnesses sustained by Canadian Armed Forces members and Veterans as a result of a sudden, single incident after March 31, 2006.

## Policy

### Eligibility

1. The Critical Injury Benefit is payable to a member or Veteran who establishes that they sustained one or more severe and traumatic injuries, or developed an acute disease, and that the injury or disease:
  - a. was a service-related injury or disease;
  - b. was the result of a sudden and single incident that occurred after March 31, 2006; and
  - c. immediately caused a severe impairment and severe interference in their quality of life.
2. A member or Veteran is entitled to the Critical Injury Benefit for each incident that meets the eligibility criteria. The Definition section of this policy provides more information pertinent to establishing the eligibility criteria.
3. Survivors and surviving dependent children are not eligible to apply for and/or be paid the Critical Injury Benefit on behalf of a deceased member or Veteran.
4. A member or Veteran may be eligible for pain and suffering compensation and not be eligible for the Critical Injury Benefit and conversely, a member or Veteran may not be eligible for pain and suffering compensation; however, may be eligible for the Critical Injury Benefit.
5. The determination of whether a member or Veteran has suffered a severe impairment and severe interference in quality of life should be done on a case by case basis by the decision maker in consultation with a Medical Advisor as required.

### Waiver of Application

6. If the Department is satisfied, based on the information that has already been collected or is currently available that the member or Veteran is entitled to the Critical Injury Benefit, the Department will waive the requirement for an application with the agreement of the member or Veteran.

### Application

7. A member or Veteran can apply for a Critical Injury Benefit at any time. The application will follow the normal application process.

### Definitions

8. **Traumatic Injury** means:
  - a. the physical damage that occurs when a human body is subjected to intolerable levels of physical energy (e.g. bone fractures and soft tissue lacerations, damage to internal organs, thermal burns, head injury); or



- b. disordered emotions or behavior that occurs when a human being is subjected to intolerable levels of stress (e.g. psychosis).
  - c. The factors to be considered in assessing “severity” are set out in section 11 of the policy.
9. **Acute Disease:** An “acute disease” means the early stage of a disorder of human structure or function that is primarily caused by something other than traumatic injury (e.g. infection, toxic exposure).
10. **Sudden and single incident:** A “sudden and single incident” is a one-time event – including motor vehicle accidents, falls, explosions, gunshot wounds, electrocution, and exposure to chemical agents – in which the member is abruptly exposed to external factors.
11. **Immediately:** “Immediately” means, for the purposes of the Critical Injury Benefit, that medical evidence demonstrates that the severe impairment and severe interference in quality of life, while not necessarily permanent, was ongoing from the time of the sudden and single incident.
12. **Severe Impairment and Severe Interference in Quality of Life:**
- a. sustained an amputation at or above the wrist or ankle;
  - b. sustained legal blindness in both eyes — meaning best corrected visual acuity is less than or equal to 6/60 or they have less than 20 degrees of visual field remaining — for a minimum of 84 consecutive days;
  - c. sustained quadriplegia, paraplegia, hemiplegia or complete paralysis of a limb for a minimum of 84 consecutive days;
  - d. sustained total loss of urinary or bowel function for a minimum of 84 consecutive days;
  - e. required the assistance of at least one person to perform at least 3 activities of daily living for a minimum of 112 consecutive days;
  - f. was admitted to an intensive care unit for a minimum of 5 consecutive days;
  - g. was admitted to a hospital for acute or rehabilitative inpatient care for a minimum of 84 consecutive days; or
  - h. was admitted to a hospital for acute or rehabilitative inpatient care for less than 84 consecutive days during which the member or Veteran received complex treatments.
13. **Complex treatments:** may include but are not limited to: multiple surgeries, multiple invasive or painful procedures (e.g. treatment of severe burns), prolonged parenteral nutrition, or mechanical ventilation of the lungs.
14. **Activities of daily living:** for the purposes of determining whether a member or Veteran requires the assistance of at least one person to perform at least 3 activities of daily living, Chapter 19 - "Impairment in Activities of Daily Living" in the [2006 Table of Disabilities](#) should be used by the decision maker.

## References

[Veterans Well-being Act](#), sections 44.1, 44.2 and 44.3

[Veterans Well-being Regulations](#), sections 48.1, 48.2, 48.3, 48.4, and 62

[2006 Table of Disabilities](#)

[Disability Benefits in Respect of Peacetime Military Service - The Compensation Principle](#)



Disability Benefits in Respect of Wartime and Special Duty Service – The Insurance Principle

Reimbursement of Fees for Financial Advice

Payment of Medical Fees

Disability Benefits in Respect of Death for Survivors and Dependent Children

Application to the Minister

Review of Decisions

Pain and Suffering Compensation

Date Payable – Disability Benefits, Allowances, and Prisoner of War/Detention Benefit Compensation