

Why your opinion matters?	Charting tips	When asked to give your opinion, tips	When filling out the forms tips	Key takeaways
<p>As treating health professionals, you are participant experts. Often as treating experts, your opinion is given more weight than doctors hired to assess.</p> <p>The Court has said:</p> <ul style="list-style-type: none"> • Expert evidence should be the independent product of the expert • An Expert should never assume the role of an advocate • An Expert witness should state the facts or assumptions upon which her opinion is based • An Expert should make it clear when an issue falls outside her expertise 	<ul style="list-style-type: none"> • Clear diagnosis-if possible • Mention all conditions/impairments-not just chief (physical/psychological)-if chronic, keep running list • Impairments – record worst days • Describe stress tolerance, energy level, and endurance • Note medications and any side effects • Referrals or challenges with referrals • Avoid noting vacations, legal advice, work disputes in detail, personal/family problems in detail, “better”, “good” critical comments about patient, exclamation points 	<ul style="list-style-type: none"> • Onus the applicant to prove “disabled” within the meaning of the legislation/policy • Impartiality & Accuracy • Within your area of expertise, feel confident to provide an opinion • Balance of probabilities (<i>more probable than not/more likely than not</i>) • Opinion should be easy to read • Whole person/holistic approach considered • Focus on function • Words to avoid: Advocate Believe Medical certainty “Better” Non-compliant Obviously Cannot do (limited/restricted is better) May/could/possibly A chance that 	<ul style="list-style-type: none"> • Complete all sections of the Medical Report Form • Attach all helpful consultation reports • Include all of the patient’s medical conditions on the Form (not just work-related) • Detail functional limitations and restrictions (physical and cognitive) • Advise of upcoming appointments/referrals to appropriate specialists • Treatment details of prior, current and recommended future • Prognosis – realistic (rather than optimistic). May be without specific time-frame for recovery 	<ul style="list-style-type: none"> • Know the definition of disability • If appeal, look at denial reasons • Stay in your lane and neutral • Be specific on limitations and restrictions • It’s all about Functionality • Misinterpretation feeds denials • Credibility matters • Support RTW but be mindful and document failure • Holistic approach • State number times seen since the disability if helpful • You can call the lawyer



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