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Independent Living and Quality of LifeSubject
Personal Care Attendants and Allowance

Policy

A worker who requires assistance and/or supervision to complete their activities of daily living (ADLs) or instrumental activities of daily living (IADLs) due to a work-related injury or illness may be entitled to a personal care attendant. A worker with a serious injury or illness may be entitled to a personal care allowance to hire their own personal care attendant(s).

Purpose

The purpose of this policy is to outline the criteria for entitlement to personal care attendants and/or a personal care allowance to hire personal care attendants, how the level of care required is determined, the responsibilities of a worker who hires their own personal care attendant(s) and when the level of care may be reviewed.

Guidelines

This policy applies in conjunction with 17-06-01, Independent Living and Quality of Life Measures - Overview and Definitions.

Refer to the “Transitional provisions” section of this policy for guidelines about how this policy applies to accidents prior to September 21, 2026.

Definitions

For definitions of **activities of daily living (ADLs)**, **instrumental activities of daily living (IADLs)** and **serious injury or illness**, refer to 17-06-01, Independent Living and Quality of Life Measures - Overview and Definitions.

General

A personal care attendant provided by an agency may be authorized when a worker requires assistance and/or supervision to complete their ADLs and/or IADLs as a result of a work-related injury or illness. The WSIB pays the agency providing the personal care attendant directly.

A personal care allowance may be authorized to allow a worker with a serious injury or illness to hire a non-agency attendant such as a non-professional attendant, e.g., family member or friend, or a professional care attendant of their choice such as a personal support worker. The allowance is provided as one of five flat rates that increase in value relative to the level of care required. The WSIB pays the personal care allowance to the worker who is responsible for hiring one or more attendants.

Entitlement criteria

Personal care attendant: attendant provided by an agency

Entitlement to a personal care attendant provided by an agency will be approved where both of the following criteria are met:

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- the clinical evidence demonstrates that the worker requires assistance and/or
- supervision to complete their ADLs and/or IADLs on a temporary or permanent basis as a result of the work-related injury or illness, and
- the claim file information supports that a personal care attendant is necessary, appropriate and sufficient to assist and/or supervise the worker in carrying out their ADLs and/or IADLs on a temporary or permanent basis.

Personal care allowance: attendant hired by the worker

Entitlement to a personal care allowance to hire a non-agency attendant may be considered where the worker meets the criteria outlined in the “Personal care attendant: attendant provided by an agency” section of this policy, and one of the following criteria are met:

- the worker has a serious injury or illness and requires one of the five levels of care outlined in the “Levels of care” section of this policy, or
- the worker requires temporary personal care while undergoing treatment for a work-related illness, or
- the worker lives outside the service area of any personal care agencies as determined by the agencies.

If the criteria for a personal care allowance are not met, the worker may be entitled to agency care, refer to the “Entitlement criteria - Personal care attendant: attendant provided by an agency” section of this policy.

In choosing a non-agency attendant, the worker should ensure the attendant has received adequate training to provide the necessary care. The WSIB does not cover any costs associated with such training. Where a worker requires highly specialized care, the WSIB may require evidence of the attendant hired having received sufficient training before issuing the personal care allowance.

Personal care needs assessment

A home visit will be conducted to assess the personal care needs of a worker who is being considered for a personal care allowance. The assessment is used to determine the level of care, if any, required by the worker to complete their ADLs and/or IADLs. Information is also gathered regarding any special medical requirements. Before an assessment is carried out, the WSIB must determine that one of the following criteria are met:

- the worker has a serious injury or illness, or
- the worker requires temporary personal care while undergoing treatment for a work-related illness, or
- the worker lives outside the service area of any personal care agencies as determined by the agencies.

The WSIB assesses the worker's specific personal care needs resulting from the work-related injury or illness using the WSIB-approved Activities of Daily Living Scale form, refer to the “Levels of care” section.

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The personal care needs assessment describes the worker's specific personal care needs and is used to determine which, if any, level of care is required. The worker is entitled to receive the flat-rate monthly allowance associated with the level of care the WSIB determines they require.

The following three criteria are all used to determine the appropriate level of care for the worker:

1. the number of ADLs and/or IADLs the worker requires assistance with or supervision to complete
2. the number of ADLs and/or IADLs in (1) that require some specialized training, attention to detail by the attendant, and/or individual support tailored to the worker's particular needs, and
3. the number of times per day the worker requires assistance and/or supervision to complete their ADLs and/or IADLs.

The five levels of personal care are:

Level 1: The worker requires occasional assistance (generally once daily) or requires reminders or supervision to complete some of their ADLs and/or IADLs.

Level 2: The worker requires minimal assistance (generally two to four times daily) to complete some of their ADLs and/or IADLs.

Level 3: The worker requires intermittent assistance (generally five to eight times daily) to complete some of their ADLs and/or IADLs.

Level 4: The worker requires significant assistance (generally every two to three hours) to complete most of their ADLs and/or IADLs.

Level 5: The worker requires constant assistance (generally hourly) to complete most of their ADLs and/or IADLs.

In addition to a personal care allowance to hire their own attendant, a worker with a serious injury or illness may be entitled to an agency attendant. In these cases, the care provided by the agency attendant is not included in the determination of the level of care covered by the allowance.

Date of entitlement and payment

Entitlement to a personal care attendant and/or the personal care allowance starts from the date the worker begins to need the services of an attendant to complete their ADLs and/or IADLs due to the work-related injury or illness, and the criteria outlined in the "Entitlement criteria" section of this policy are met.

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Entitlement to a personal care attendant and/or the personal care allowance ends once the relevant criteria are no longer met, e.g., the worker recovers such that the minimum level care is no longer needed, refer to the “Material change” section of this policy. Where a worker receiving the allowance dies or no longer meets the criteria, payment is discontinued at the next monthly payment date. A benefit-related debt is not created.

Attendant provided by an agency

The rates for agency attendants are paid directly to the agency. The WSIB will pay an agency for care provided by an agency attendant prior to the date an entitlement decision is made up to the date of entitlement, based on the actual costs of the care provided.

Attendant hired by the worker

The personal care allowance is paid each month to the worker directly or to the worker through their continuing power of attorney for property unless the worker or their attorney requests that the attendant be paid directly on the worker’s behalf. In no cases shall the person acting as a worker’s power of attorney for personal care also be hired as the worker’s attendant.

The WSIB monthly rates for each of the five levels of care are reviewed annually and may be adjusted to reflect changes in the cost of living and any other factors that have a direct impact on the rates. For the current rates for the five levels of the personal care allowance, refer to 18-01-05, Table of Rates.

Generally, the WSIB also pays the same personal care allowance rates to workers living outside of Canada. The WSIB adjusts these rates only if it is demonstrated that the amount properly and reasonably charged in the worker’s community is significantly higher than the Ontario rate.

The WSIB will pay the worker for the personal care provided by a non-agency attendant prior to the date an entitlement decision is made back to the date of entitlement, based on one of the following:

- the reasonable costs incurred for the actual care provided, where the worker provides receipts, or
- the amount associated with the level of care that is determined by the WSIB to have been required.

Hiring non-agency attendants

Workers who meet the criteria for the personal care allowance may hire one or more attendants to provide the assistance and/or supervision they require. An attendant could be a health care professional such as a nurse or personal support worker, or a spouse, family member or friend.

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According to the *Employment Standards Act, 2000*, all attendants are entitled to at least 11 consecutive hours free from performing work in each day. In addition, attendants are entitled to at least 24 consecutive hours free from work each week, or at least 48 hours free from work in every period of two consecutive work weeks. The *Employment Standards Act, 2000* also requires employers to pay an attendant overtime pay, or to provide paid time off work, for each hour that is worked over 44 hours in a work week.

The WSIB pays eligible workers one of five flat monthly rates corresponding with the five levels of care, as outlined in the “Levels of care” section of this policy. The flat monthly rates for each level of care are sufficient to hire a non-agency attendant to provide the required care. In cases where the worker requires more than 44 hours of care per week, or if an attendant goes on vacation, becomes ill or requires unplanned leave, the worker is responsible for finding an additional person to act as their attendant, or for advising the WSIB that they require agency care to complement their allowance.

Continuation during hospitalization

A worker’s hospitalization is a material change in circumstances that must be reported to the WSIB, refer to 22-01-02, Material Change in Circumstances - Worker. Failure to report a material change in circumstances could result in a benefit-related debt, refer to 18-01-04, Recovery of Benefit-Related Debts. The personal care allowance may continue for up to two months during hospitalization. If hospitalization continues beyond two months, the personal care allowance will be discontinued and can be reassessed when the worker is discharged.

Continuation during attendant’s paid vacation

Workers are required under the *Employment Standards Act, 2000* to provide each of the non-agency attendants hired with the personal care allowance with one of the following:

- at least two weeks of paid vacation per entitlement year, if the attendant has been employed by the worker for less than five years, or,
- at least three weeks of paid vacation per entitlement year, if the attendant has been employed by the worker for five years or more.

The WSIB will continue to provide the personal care allowance during the attendant’s vacation to allow the worker to pay the attendant during their vacation.

With advanced notice from the worker, the WSIB will also cover the cost of and arrange for an agency attendant to assist the worker while the worker’s usual attendant is on vacation.

Registration as employer

A worker who receives a personal care allowance to hire an attendant(s) is considered the employer of the attendant(s). Employers have legal responsibilities under the provincial *Employment Standards Act, 2000*, *Workplace Safety and Insurance Act, 1997* and the *Occupational Health and Safety Act*, as well as the federal *Income Tax Act*, *Canada Pension Plan Act* and *Employment Insurance Act*. Workers who employ a personal care attendant(s)

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are responsible for meeting the applicable provincial and federal statutory requirements applicable to employers. Workers who receive a personal care attendant through an agency only and who do not receive the personal care allowance do not have these additional legal responsibilities.

A worker employing their own personal care attendant(s) for any number of hours per week must register as required with the federal and provincial governments and make the appropriate remittances (e.g., CPP, EI, income tax). The WSIB reimburses the worker for the employer portion of these remittances.

WSIB coverage is mandatory for all personal care attendants employed by a worker for more than 24 hours per week under this policy. A worker employing their own attendant(s), including a family member, for more than 24 hours per week is automatically registered with the WSIB as an employer. The associated costs are paid for by the WSIB.

Note

Agency attendants are considered employees of the agency regardless of the number of hours of care they provide to a worker.

Bookkeeping fee

The WSIB reimburses a worker for bookkeeping costs to hire a professional to manage the worker's payroll and assist the worker in meeting their obligations as an employer, up to an annual maximum, if both of the following criteria are met:

- the costs are related to the worker's role as an employer of their own personal care attendant(s), and
- the worker submits receipts.

The maximum bookkeeping fee is reviewed annually and may be adjusted due to the cost of living and any other factors that have a direct impact on such expenses. For the current fee, refer to 18-01-05, Table of Rates.

Material change and reviews

A worker must advise the WSIB of any material change that may affect their entitlement to benefits and services under the insurance plan, such as initial or ongoing entitlement to a personal care attendant and/or the personal care allowance, including the level of care that is required.

A material change review may be conducted if requested by the worker, the worker's health professional, the accident employer or at the full discretion of the WSIB (e.g., periodically, as part of a random review, or where the WSIB receives information indicating the worker's condition has changed).

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Where there is a material change or a request to review entitlement, the WSIB determines if a review is required to:

- assess initial or ongoing entitlement to a personal care attendant
- assess initial or ongoing entitlement to the personal care allowance, and/or
- evaluate the required level of care.

Where the WSIB determines that a review is required, a home visit will in most cases be conducted, and a personal care needs assessment or reassessment will be completed. Once completed, entitlement to a personal care attendant and/or the personal care allowance is determined based on the criteria in this policy and the results of the assessment, refer to the “Entitlement criteria” and “Levels of care” sections of this policy. This may result in changes to entitlement, including:

- initial entitlement to a personal care attendant and/or the personal care allowance
- attendant care being discontinued or provided instead of or in addition to the allowance, and/or
- the allowance being increased, decreased or discontinued.

Following a material change review, the personal care allowance is only adjusted if the personal care needs reassessment results in a change of at least one level of care (e.g., from level 3 to level 4). If the personal care allowance is adjusted as a result of a material change review, the change becomes effective the month following the date of the WSIB review.

As part of a material change review, all independent living benefits and services the worker is receiving may be reviewed together to ensure that the worker is receiving the necessary, appropriate and sufficient complement of benefits and services to facilitate their independent living.

The “Transitional provisions” section of this policy contains specific guidelines on material change reviews where the worker was receiving agency care or a personal care allowance prior to September 21, 2026.

Where a material change has been reported as required, a benefit-related debt is not created. However, failure to report a material change within 10 days of its occurrence may result in a benefit-related debt, refer to 18-01-04, Recovery of Benefit-Related Debts.

For more information about material changes, refer to 22-01-02, Material Change in Circumstances - Worker.

Transitional provisions

This section outlines how this policy applies to accidents prior to September 21, 2026.

1) Initial entitlement decision made on or after September 21, 2026

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If an initial entitlement decision for a claim with an accident prior to September 21, 2026, is made on or after September 21, 2026, eligibility for a personal care attendant and/or a personal care allowance will be determined according to the guidelines in this policy. All rights and obligations outlined in the policy apply.

2) Initial entitlement decision made prior to September 21, 2026**Receiving or undergoing assessment for a personal care allowance as of September 21, 2026**

Workers already receiving a personal care allowance as of September 21, 2026, will continue to receive the total monthly allowance they were receiving as of September 20, 2026, indexed annually. In other words, the monthly allowance will not be converted to one of the five flat-rate amounts unless there is a material change review.

Workers who have been referred for a personal care needs assessment or who have already undergone a personal care needs assessment as of September 21, 2026, will have their personal care allowance determined according to 17-06-05, Personal Care Allowance, the policy in effect immediately prior to September 21, 2026.

A review of entitlement to the personal care allowance may be conducted after September 21, 2026, where the WSIB determines a material change review is required, refer to 22-01-02, Material Change in Circumstances - Worker.

The entitlement criteria outlined in this policy are considered when conducting a review of ongoing entitlement to the personal care allowance. All criteria in the "Entitlement criteria - Personal care allowance: attendant hired by the worker" section of this policy must be met. If met, the personal care allowance is adjusted to reflect the level of care determined. If the entitlement criteria are not met, the personal care allowance will be discontinued; however, the worker may be entitled to agency care if the relevant criteria are met, refer to the "Entitlement criteria - Personal care attendant: attendant provided by an agency" section of this policy.

If the personal care allowance is adjusted or discontinued as a result of a material change review, the change becomes effective the month following the date of the WSIB review.

Not receiving a personal care allowance as of September 21, 2026

Workers with an allowed claim with an accident date prior to January 1, 1998, who are not receiving a personal care allowance as of September 21, 2026, may be entitled to a personal care allowance if they have a serious injury or illness that is permanent.

Workers with an allowed claim with an accident date on or after January 1, 1998, who are not receiving a personal care allowance as of September 21, 2026, may be entitled to a personal care allowance if they:

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- have a serious work-related injury or illness, or
- require temporary personal care while undergoing treatment for a work-related illness, or
- live outside the service area of any personal care agencies, as determined by the agencies.

In any of these circumstances, the worker's personal care needs may be assessed or reassessed. An assessment or reassessment will be carried out if there is some evidence that the worker requires assistance and/or supervision to complete their ADLs and/or IADLs and one of the following criteria are met:

- they have not previously had a personal care needs assessment
- a previous personal care needs assessment demonstrated a need for assistance and/or supervision to complete their ADLs and/or IADLs, or
- a previous personal care needs assessment did not demonstrate a need for assistance and/or supervision to complete their ADLs and/or IADLs but the worker has experienced a significant deterioration since the assessment was last carried out.

The personal care needs assessment or reassessment will be used to determine the level of care required by the worker, if any (refer to the "Levels of care" section of this policy). If the criteria for level 1 care are not met, the worker may be entitled to agency care if the relevant criteria are met, refer to the "Entitlement criteria - Personal care attendant: attendant provided by an agency" section of this policy.

Entitlement to the personal care allowance in these cases begins the later of:

- September 21, 2026, or
- the date the worker requires assistance and/or supervision to complete their ADLs and/or IADLs.

Application date

This policy applies to all decisions made on or after September 21, 2026, for accidents on or after September 21, 2026. This policy also applies to accidents prior to September 21, 2026, according to the guidelines in the "Transitional provisions" section.

Document history

This document replaces 17-06-05 dated August 1, 2007.

This document was previously published as:

- 17-06-05 dated October 12, 2004
- 17-06-05 dated January 31, 2002
- 17-06-05 dated April 6, 2001
- 17-06-05 dated May 23, 2000
- 17-06-05 dated June 15, 1999
- 06-01-07 dated July 1989.

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References

Legislative authority

Workplace Safety and Insurance Act, 1997
Sections 32, 33

Workers' Compensation Act, Revised Statutes of Ontario 1990
Section 50

Workers' Compensation Act, Revised Statutes of Ontario 1980
Section 52

Approval

Approved by the President and CEO on June 23, 2026.