

Appellate Court: No worker's comp coverage for Ayurvedic medicine

Many people who suffer severe injuries find that traditional medical treatments such as medication, injections, surgery and physical therapy do not always go far enough.

To supplement these treatments, they may turn to acupuncture, massage therapy, and other alternative methods of healing. People who use alternative methods often say they find relief "" but when the injury is work-related, obtaining compensation for them can prove challenging.

In one recent Pennsylvania case, a nurse went to India for Ayurvedic treatments for work-related injuries she suffered to her shoulders, neck and upper left extremity. According to the [National Center for Complementary and Alternative Medicine](#), Ayurvedic medicine uses herbal compounds, special diets and other health care practices. It is one of the oldest medical systems in the world. It dates back more than 3,000 years and remains one of India's traditional health care systems, but it is not widely studied in Western medicine.

Because the injuries were work-related, she sought workers' compensation benefits for the treatments. The Commonwealth Court of Pennsylvania recently rejected her claim. It held that the Ayurvedic treatments were not covered by workers' compensation. The reason had nothing to do with the validity of the treatment. Instead, the court held that the medical treatment was not done through referral and was not under the supervision of a health care practitioner licensed in Pennsylvania.

The case wasn't the nurse's first before the Commonwealth Court. According to an [article in the Legal Intelligencier](#),

the nurse previously sought workers' compensation for Ayurvedic treatments she received after an earlier work-related injury. She said the court ruling in that case would allow the court to order coverage for her treatments in this claim. The court, however disagreed, finding she was not entitled to coverage.

The court's decision avoided deciding a gray area between the nurse's earlier case and another case about massage therapy practitioner was not covered, even if the therapy was prescribed by a licensed provider. It said it did not have to address the issue because in the nurse's case, no licensed provider could prescribe the Ayurvedic treatments.

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