

Regulation - LGIC

Proposed Amendments to Insurance Act Regulation 34/10 (Statutory Accident Benefits Schedule - Effective September 1, 2010)

Ministry: Ministry of Finance

Regulation Number(s): Ontario Regulation 34/10 (Statutory Accident Benefits Schedule – Effective September 1, 2010)

Bill or Act: Insurance Act

Summary of Proposal: The 2015 Ontario Budget committed to further reduce costs in Ontario's auto insurance system, bring these costs more in line with other provinces, and provide Ontario consumers with more choice in purchasing auto insurance coverages to suit their needs. Amendments to Insurance Act Regulation 34/10 (Statutory Accident Benefits Schedule - Effective September 1, 2010) will be proposed to:

- Change the standard benefit level for medical and rehabilitation benefits to \$65,000 (from \$50,000) and include attendant care services under this benefit limit. An option will be provided for consumers to increase this coverage to up to \$1 million;
- Reduce the standard duration of medical and rehabilitation benefits from 10 years to five years for all claimants except children and those with catastrophic impairments;
- Include attendant care services with the \$1 million medical and rehabilitation benefit for catastrophic impairments, and provide the option for additional coverage of \$1 million, for \$2 million in total coverage;
- Eliminate the six month waiting period for non-earner benefits and limit the duration of non-earner benefits to two years after the accident;
- Require goods and services not explicitly listed in the Statutory Accident Benefits Schedule to be "essential" and agreed upon by the insurer; and
- Update the definition of catastrophic impairment (CAT) to reflect the most up to date medical information and knowledge. Amendments will be proposed based on the Superintendent's Report on the Definition of Catastrophic Impairment in the Statutory Accident Benefits Schedule, subject to modifications. Proposed updates include:
 - Paraplegia or quadriplegia: Revise the definition with updated detailed criteria and new diagnostic tools;
 - Total and permanent loss of use of an arm or leg: Revise the definition with detailed criteria and new diagnostic tools dealing with impairment of ambulatory mobility;
 - Total blindness: Update the definition by adding reference to 20/200 visual acuity threshold (legal blindness);
 - Traumatic brain injury: For adults, eliminate Glasgow Coma Scale (GCS) and adopt the Extended Glasgow Outcome Scale (GOS-E) as the clinical assessment tool; for children under age 18 adopt use of King's Outcome Scale for Childhood Head Injury (KOSHI) as the clinical assessment tool;
 - Allow for automatic CAT designation of children in certain cases;
 - For mental and behavioural impairments, revise the definition to include updated detailed criteria and new diagnostic tools; and
 - Combination of impairments: For other physical impairments not listed retain current definition and adopt new diagnostic tool (6th Edition of AMA Guides to the Evaluation of Permanent Impairment) for quantifying mental and behavioural impairments for the purposes of combining.

Further Information:

Proposal Number: 15-MOF011

Posting Date: May 14, 2015

Comments June 29, 2015

Due Date:

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