



Auto Insurance Reform

Highlights of the changes to automobile insurance regulations that will become effective on September 1, 2010

- ▶ What's New with SABs?
- ▶ What are the 7 New Regulations?
- ▶ Tort Changes & More

New Statutory Accident Benefits

Ontario Regulation 34/10 (New SABS)

Coverage for Non-Catastrophic Claims

Standard Medical and Rehabilitation	\$ 50,000
with optional coverage of	\$ 100,000
or, optional coverage of	\$ 1,100,000
Standard Attendant Care	\$ 36,000
with optional coverage of	\$ 72,000
or, optional coverage of	\$ 1,072,000

Optional Benefits

Caregiver, Housekeeping, Home Maintenance

Assessment & Examinations

Expenses, Minor Injury Claims

Medical/rehabilitation and assessment/
examination expenses, a cap of \$ 3,500

Assessments, requested by claimant
or insurer, a cap of \$ 2,000

Assessment Costs (for Catastrophic and
Non-Catastrophic) are deducted from Medical
and Rehabilitation limits of \$50,000

In-home Assessments

Payment for claimants who have
sustained more than minor injuries.

Elimination of Rebuttal Examinations

Insurer Examinations, use of,
upon the discretion of the adjuster

Additional Changes to SABS

Accounting Reports, to support income
replacement benefits claims; offered at \$ 2,500

Minor Injury Guideline for Accidents

Replaces existing Pre-Approved Framework Guideline
for Grade I and II Whiplash Associated Disorders,
occurring on or after September 1, 2010.

Merging treatment plans and applications for approval
of assessments or examinations into one process.

New definition for "incurred expense".

Simplifying rules governing claims processing.

Reducing the number of approved forms.

Seven New Regulations

As posted on the Government of Ontario's e-Laws web site:

O. Reg. 34/10

Statutory Accident Benefits Schedule, effective September 1, 2010

▶ www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10034_e.htm

O. Reg. 35/10

Statutory Accident Benefits Schedule, on or after November 1, 1996

▶ www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10035_e.htm

O. Reg. 36/10 Automobile Insurance

▶ www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10036_e.htm

O. Reg. 37/10 Unfair or Deceptive Acts & Practices

▶ www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10037_e.htm

O. Reg. 38/10 Disputes Between Insurers

▶ www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10038_e.htm

O. Reg. 39/10

Prescribed Information for the Purposes of Section 101.1 of The Act

▶ www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10039_e.htm

O. Reg. 40/10 Statutory Conditions, Automobile Insurance

▶ www.e-laws.gov.on.ca/html/source/regs/english/2010/elaws_src_regs_r10040_e.htm

Tort Changes

Optional Coverage

Purchasing a reduced deductible for bodily injury claims:

- | | | | |
|----|-------------------------------------|----|--------|
| a. | Reduced from \$30,000 deductible to | \$ | 20,000 |
| b. | FLA deductible from \$15,000 to | \$ | 10,000 |

Fatal Accident Claims

Coming Soon – the reduced deductible for FLA claims

Working Together

Charles Gluckstein, of Gluckstein & Associates LLP, is an OTLA representative currently sitting on the following government FSCO committees:

- **Accident Benefits Claims Forms Advisory Committee**
- **Minor Injury Guideline Working Group**

For the most current information available, please visit FSCO:

▶ www.fSCO.gov.on.ca/english/pubs/bulletins/autobulletins/2010/a-01_10.asp