

FAIR (Fair Association of Victims for Accident Insurance Reform)
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Dear Ms. Matthews,

My name is Rhona DesRoches and I am the Board Chair of FAIR (Fair Association of Victims for Accident Insurance Reform). We are a grass-roots not-for-profit consumer organization dedicated to advocating for fair treatment of MVA victims.

The recent articles in the Toronto Star have brought to light the very issue that negatively affects many MVA victims – their treatment at the hands of Ontario's Third Party assessors. I am attaching our response to the Anti-Fraud Task Force Final Report released on November 29 2012 on the subject of poor quality IMEs.

In the most recent Star article there is mention of the wall that exists between the public and the operations of the Colleges. That wall has safely hidden from public view the public's complaints about those physicians who supply Ontario's insurers with Third Party Reports or IMEs. This wall of secrecy has been crafted to keep the public in the dark about the pro-insurer assessors who routinely produce substandard or unqualified reports often used to disqualify legitimate accident victims in court. The lack of public disclosure by the Colleges has allowed these examiners to continue their abuse of Ontario's accident victims with impunity while lining their pockets with insurance industry income.

The Minister of Health ought to take an active interest in this promised level of transparency given that the recent Anti-Fraud Task Force report has recommended that the Colleges and their complaints process will be utilized by the Financial Services Commission to ensure quality medical reports for accident victims. How can it be possible to control the quality of 'independent' medical reports when the preferred vendors of the insurance industry hide behind their College policy of silence to the public about the complaints made against their members? How does a physician's profit from insurance companies become of greater importance than the health of those unfortunate enough to have been involved in an auto accident?

There has been a total lack of information sharing with the public up to date and it is now that we learn that it is the Colleges themselves who are in fear of their own members suing them for taking any significant action when complaints are made. The government needs to step in and protect the interests of injured accident victims, indeed all Ontarians, and ensure there is real oversight that is unfettered by the fear of the Canadian Medical Protection Agency. Over 67,000 people were injured in MVAs in 2011, where is their right to quality unbiased medical reports? The College of Physicians and Surgeons has

neatly sidestepped this issue by declaring that MVA victims are clients and not patients at all. In this one act the CPSO has created a third class of patients, injured and vulnerable accident victims to whom the examining physicians owe no duty of care. I am attaching the FAIR submission to the Third Party Report of the College of Physicians and Surgeons on this issue.

Ms. Matthews, as Minister of Health, all of the Colleges are under your ministry's purview. It is time to take action and uphold that promise that public safety comes first and "that the College must act first and foremost in the interests of the public." It starts with your Ministry acknowledging that the College's inaction on this issue of substandard IMEs causes great harm to Ontario's most vulnerable citizens.

Will you take action? Or will the Ministry of Health turn a blind eye and allow this abuse of auto accident victims by those few pro-insurer physicians to tarnish the reputation of all physicians with their cavalier treatment of injured claimants?

The public is watching; we want to know if it is big business that runs the Province of Ontario or is our government making their decisions in the public's interest? People deserve to know.

Regards
Rhona DesRoches
Board Chair
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"The profession, through and with the College, has a duty to serve and protect the public interest by regulating the practice of the profession and governing in accordance with the Regulated Health Professions Act."