

FAIR Association of Victims for Accident Insurance Reform
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February 13, 2015

Dear Minister Sousa

Thank you for the opportunity to convey our concerns to the Minister of Finance office in respect to the upcoming Ontario budget.

FAIR is a not-for-profit organization whose concern is that Ontario's vulnerable auto accident victims are now a very disadvantaged group within Ontario's population. Big business concerns continue to eclipse the fair treatment of injured and disabled citizens who are caught in Ontario's dysfunctional auto insurance scheme.

Without proper consideration from your office and government legislators we see innocent and often cognitively impaired MVA victims impoverished, without adequate rehabilitation resources and punished by a system that no longer functions. Present and past 'fixes' have only made the system worse and the province has incrementally taken on more and more financial responsibility for the 50-60,000 people injured on our roads every year. The public unknowingly pays through our social nets when Ontario's wealthy insurers fail to live up to their contracts. Further, these public systems are not designed for, and don't have the resources for the care of traumatically injured auto accident victims.

Ontario's auto insurers habitually evade their contractual obligations to consumers and this is substantiated by the numbers when [about half of all injury claims](#) (pg 47) must use the courts to hold their insurer accountable.

Access to benefits hinges on the (highly profitable) expert medical report; the information and opinion that documents injuries and sets insurers on a path to adjust claims and injured victims on the road to recovery. Recovery simply isn't happening because Ontario's Third Party 'expert' medical examinations and reports are without any standards and virtually no oversight from their regulatory colleges. Family physician and treatment provider recommendations are conveniently trumped by highly paid medical experts whose allegiance is to the business who pays them and not the MVA victim. Failure to acknowledge and address this harm and dishonesty is causing not only trauma to victims but also additional costs to the publicly funded medical system where victims ultimately must address their injuries. That cost would not be insignificant.

There are now [hundreds of thousands of individuals collecting Ontario Disability Support Program \(ODSP\) benefits](#) and many of those people are unpaid MVA victims. This isn't just a few people who fell through the cracks; it is a deluge of injured and disabled auto insurance claimants on our public supports when poor quality medical reports were used to disqualify them from accident benefits they paid for.

Recent changes like Bill 15 and the LAT will do nothing to fix the problem other than to shove MVA victims faster through the still dishonest system. In fact the incentive of reduced interest payable by insurers on overdue amounts owed to injured victims will only create more delays, denials and court actions and the resulting reliance on our public support systems such as welfare and ODSP. These are claimants whose access to 'justice' is limited to 'if' they can afford the expensive legal representation required to get through the process and so poverty quickly becomes the barrier to justice and it becomes the bonus to insurers.

Insurers talk about fraud and the high costs of claims but fail to address their own [excessive legal costs](#) and [over spending](#) (pgs 58, 59) by consistently spending more on assessments than treatment for claimants. What about the industry practice of paying \$1000 cancellation fees to their IME providers and what does that add to the pockets of their medical opinion providers and ultimately take out of the claims dollars?

The auto insurance system is now so heavily skewed toward insurer interests and profit that the public is well on the way to be the major payer to auto accident victims – in other words, we pretty much have taxpayer funded public insurance. Private companies and their well funded lobby arm, the Insurance Bureau of Canada (IBC), have so successfully slanted coverage in their favour that it no longer serves Ontarians in either coverage or cost and has become a system so cumbersome and complex that it causes harm to those who must use the product.

Insurers have abdicated their responsibility and it requires a twisted form of laws and incomprehensible [regulations](#) in order to continue to fleece the taxpayers. Consumers are told they have adequate coverage but the dishonest medical opinion evidence shows that the system is without accountability and it has clogged up our courts and requires that our lawmakers even [remove Charter rights](#) in order to accommodate big business.

We are auto accident victims and their supporters and we are stuck in a system where it appears that those who have the power to make this a fair system now [command a premium price for access](#) for a “better chance of really connecting” with Ministers. This isn’t something that injured and disabled auto accident victims are prepared or can afford to engage in. We ask that you act in the best interests of the citizens of Ontario ALL of the time.

Respectfully, we cannot have a system where consumers are forced to buy a product that promises services that are delivered only half of the time and that downloads indiscriminately to our public supports while causing chaos in our court systems. All of these actions have a price to the taxpayer and should be addressed. The answer isn’t calling injured MVA victims fraudsters so as to justify slashing coverage. Or to prop up an industry whose business practices include the use of dishonest bogus and/or biased and indeed harmful medical reports in order to hike insurer profits. Inaction on these issues ensures that costs of an MVA end up being passed on to the public. This is something that the Minister of Finance and the Minister of Health have the power to change through regulation and enforcement. We hope that you will take steps to control Ontario’s insurers who thus far are bleeding our medical and support systems into dysfunction and deficit.

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‘FAIR – supporting auto accident victims through advocacy and education’

How to clean up the inconvenient stench in Ontario politics: Cohn
Ontario is the Central Canadian province that remains the Wild West of political fundraising in this country. <http://www.thestar.com/news/queenspark/2015/02/11/how-to-clean-up-the-inconvenient-stench-in-ontario-politics-cohn.html>