

## **OPEN LETTER - sent to MPPs and media**

FAIR Association of Victims for Accident Insurance Reform  
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They say you reap what you sow but in the case of Ontario's vulnerable and injured car accident survivors - they are reaping the sorrow for poorly conceived auto insurance legislation and a harmful lack of oversight for medical 'experts' examinations/reports and that means there's a long line-up to have their cases heard in court.

The Insurer Medical Examinations (IMEs) are out of control and the recent media coverage in the Toronto Star and the National Post has exposed this seamy underbelly of medicine. Insurer 'experts' are making hundreds of thousands of dollars a year, some at \$77,000 a month, and the medical evidence is so poorly crafted, so partisan and unacceptable that Ontario judges are at a loss on how to stem the dishonest testimony. It's widespread, it's shameful and it isn't going to stop until the government steps up and speaks out for the ill and injured and forces Colleges to do their duty.

**Please see FAIR's letter to the Ontario Civil Rules Committee** <http://www.fairassociation.ca/wp-content/uploads/2017/09/Letter-to-Civil-Rules-Committee-September-5-2017.pdf> for more information.

The absolute silence and lack of action to protect consumers, MVA victims (and other claimants at WSIB and LTD insurers) from predatory medical assessors is shameful. What is happening to both accident victims and injured workers by the tens of thousands each year is a direct result of Ontario regulatory College inaction to protect the public and our government's failure to take action to protect vulnerable injured accident victims from the predatory practices of auto insurers and their medical 'experts'.

You won't find a single CPSO member disciplined for their mistreatment of MVA victims through biased or shoddy medical reports on the CPSO website because they've completely ignored victim's complaints despite their promise to protect the public's interests.

You'll find the accident victims on welfare, ODSP and CPP Disability, you'll find them at the foodbanks and with for-sale signs on their homes.

You'll find insurers with their pockets full of dollars lobbying the government and contributing to campaigns with one hand and looking for good PR by donating to the foodbanks with the other hand - the same foodbanks that their denied clients now use once disqualified by Ontario's legendary for-hire medical opinion vendors.

You'll find the medical opinion 'experts' counting their cash made off the backs of the disabled while the court docket fills up with wrongfully denied injured accident victims.

You'll see that our courts are overflowing with unpaid claimants who are paying a high price for having believed that we had coverage we can count on. Injured car accident victims cannot navigate this dishonest system without a lawyer and that insurers are deliberately running up victim's legal costs with their questionable practices.

You'll see everyone making money and victims on social support without adequate treatment resources and the taxpayer on the hook for just about everything associated with personal injuries for many people. Because unpaid victims don't just go away, they end up on public supports we all pay for. Even as we pay the highest premiums, we have completely unacceptable coverage accessibility.

The court is the last stop for victims whose insurers have abandoned them by refusing to settle their claims, the fact that there are so many cases on the docket is an indicator of how bad things have become. I hope you'll read our letter to the Rules Committee - it is Ontario's car accident survivors call to defend our courts against those who would undermine justice.

Sincerely,  
Rhona DesRoches  
FAIR, Board Chair

<http://www.fairassociation.ca/wp-content/uploads/2017/09/Letter-to-Civil-Rules-Committee-September-5-2017.pdf>  
<http://nationalpost.com/news/hired-gun-in-a-lab-coat-how-medical-experts-help-car-insurers-fight-accident-claims>

<https://www.thestar.com/news/gta/2016/12/08/md-who-wrote-misleading-insurance-report-under-investigation.html>

<https://www.thestar.com/news/canada/2016/12/06/toronto-doctor-cant-sue-over-substantially-true-warning-he-altered-medical-reports-to-thwart-insurance-claims.html>

<https://www.thestar.com/news/gta/2015/09/23/md-claims-wsib-fired-her-over-medical-opinion.html>

<http://www.fairassociation.ca/ime-providers-adverse-comments/>