

FAIR Association of Victims for Accident Insurance Reform
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Thank you for the opportunity to have a say in respect to Ontario's broken auto insurance system.

FAIR (Fair Association of Victims for Accident Insurance Reform) is a grassroots not-for-profit organization of MVA (Motor Vehicle Accident) victims and their supporters who have struggled with the current auto insurance system in Ontario.

Ontario drivers have seen their insurance coverage reduced by millions of dollars in an ineffective war on fraud. The actions of Ontario's auto insurers has become ever more bold with highly questionable claims tactics used against their own customers even to the extent of refusing to pay mandatory HST on needed services.

All changes to No-fault auto insurance legislation have been at the behest of insurers who have increased profits on the backs of vulnerable accident victims. The system is now so slanted towards insurer profit it no longer serves Ontario taxpayers who end up paying when insurers don't. There has been far too much reliance on our overburdened court systems to make things right and this has done a poor job as a substitute for consumer protection.

Regulatory oversight and ferreting out fraud should have as big a focus on the insurers as it does on consumers, MVA victims, healthcare providers and lawyers.

Recommendations:

Get rid of thresholds, MIG and CAT. They are excuses for insurers to dig in and deny. It is grossly unfair that there is a \$935,000 difference in med/rehab provided for individuals who are 54% injured and 55% whole person injury. Very seriously injured people can no longer access appropriate care and too much effort and dollars is expended trying to access higher coverage levels of CAT designation.

Start relying on treating doctors for information about injuries. There are too many for-hire predatory doctors and healthcare providers working for insurers and against the recoveries of Ontario's vulnerable patients.

Eliminate insurer interference in healthcare. They are to pay for the expenses of an accident and should not be deciding access to needed care using medically unqualified adjusters to do their denial dirty work.

Put disincentives back into the system, higher pre-judgment interest on overdue payments and higher costs for hearings for insurers who fail to adjust claims. Insurers invest funds owed to claimants at high interest rates while MVA victims are awarded very little interest on overdue payments.

MVA victims who are successful at LAT hearings should be awarded their legal costs.

Insurers who abuse their customers should face a sanction such as the 'Special Award' through the FSCO Arbitration Unit payable to the MVA victims they've abused.

Get rid of the \$38,000 court deductible. An insurer profiting off their own customer's battle to hold them to account is grossly unfair. Keeping juries in the dark about the deductible is an affront to justice and undermines public faith in the court system.

It's time to put recovery first.