



*FAIR Association of Victims for Accident Insurance Reform  
579A Lakeshore Rd. E., Box 39522, Mississauga, ON, L5G 4S6*

<http://www.fairassociation.ca/>  
[fairautoinsurance@gmail.com](mailto:fairautoinsurance@gmail.com)

## **FAIR submission to 2026 Budget Consultation**

To: The Honourable Peter Bethlenfalvy, Minister of Finance  
submitted through the Budget Consultations portal

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FAIR (Fair Association of Victims for Accident Insurance Reform) is a grassroots not-for-profit organization of injured car crash survivors and their supporters. We are the end-users of the auto insurance product.

We appreciate the opportunity to have input to the 2026 Budget. Our comments are in respect to Ontario's auto insurance and the negative influence the lack of consumer protection in Ontario has fostered in this industry.

Car insurance, as a mandatory purchase consumers are obligated to buy, should be a product Ontario drivers can count on. Under the current lack of regulation to protect consumers, every denied claim ends up at the License Appeal Tribunal (LAT) and in Ontario's civil court system. And every court decision resets what consumers can or cannot expect to be covered for if they are injured in a car crash. This has created a climate of uncertainty and distrust for consumers when insurers fail to live up to their contractual agreement to provide care as promised.

Currently insurers are abusing the process with an unlimited ability to send injured Ontario patients for insurer medical examinations (IME/IE). These assessments are often contracted to American owned investment companies who are without any meaningful oversight in our system and who hire Canadian healthcare professionals to assist them in profiting on denying Ontario patients the care they need. This has created a flow of insurer dollars into the USA built on denying Ontario's patients the care they paid for. The widespread abuse of vulnerable patients creates the foundation for insurers to deny claims when the focus ought to be facilitating recovery and providing the care insurers promise at the time of purchase. This has built an entire industry of medical denials for profit and the untreated and unsupported claimants don't just go away, they end up on social supports and their care shifts to the public healthcare system funded by taxpayers.

The side-loading of the costs of recovery through Canadian and foreign IME company manipulation of medical information adds substantial costs to our already overburdened healthcare and social supports system. It also threatens Canadian jobs while adding to our tax burden.

Further, personal and private medical information crosses the Canadian border into the USA through the IME file sharing. The permission to share sensitive information with untold persons and entities is embedded into the initial accident claim OCF-1 form. The MVA survivor is unlikely to have made an informed decision to share an extraordinary amount of information about themselves for an indefinite period of time with unknown persons and entities in both Canada and the US. Claimant's medical information is shared without proper controls and the current system is designed to help insurers, not the premium paying public.

Our failing License Appeal Tribunal (LAT) system is making the situation worse with only 8% of claimants in 2024 able to successfully appeal an insurer denial (Ontario Trial Lawyers Association LAT AB Decision Data September 19, 2025). Unpaid and unsupported injured car crash survivors are left on their own after their insurer undermines their recovery resources through bogus and biased IMEs. There is often just a small window of opportunity for maximum recovery after a traumatic injury and this window is too often slammed shut by insurers looking to protect their bottom line.

In short, claimants in Ontario are designated as clients and not patients by the Colleges who oversee the insurer medical experts and they are currently not owed any 'duty of care'. Their health status and access to recovery resources is limited by often foreign owned companies and publicly traded Canadian companies who put their bottom line before the interests of injured Ontarians. Insurers fail in their duty to stand behind their promise of care and this leads to consumers having to hire legal representation to press their insurer to do the right thing.

The treatment providers who do assist claimants are currently under financial assault by rich multinational insurance companies who are unwilling to pay a fair wage. Healthcare professional hourly payments have not been increased in over a decade despite the promises of both the Financial Regulatory Authority (FSRA) and the Minister of Finance to address this issue. Underpaying healthcare providers is just one more way to derail patient recovery while padding the bottom line of insurers.

We are on the cliff of substantial changes to car insurance coverage with many of the currently included coverages about to become optional this year. The established insurance system is now primed to become chaos built on a precarious and untrustworthy medical denial industry that is without any accountability. Vulnerable patients who are without consumer protection

and without privacy protection must now face insurers in a justice system that is unprepared and unrepentantly biased against the injured car crash survivors' access to recovery resources.

It is clear Ontario is in need of an insurance reset and the upcoming changes and the substantial download to taxpayer funded resources needs to be addressed in this upcoming budget proposal.

It's time for Ontario to face the problems of the failing auto insurance system we have. On July 1, 2026 Ontario will move away from a basic package of coverage that protects us all into the unknown abyss of chaos when some working Ontarians will not be able to afford, or will choose to not buy, an income replacement benefit (IRB) package. Adjustments to social supports and healthcare dollars will need to be made to accommodate what could be a tsunami of traumatically injured MVA patients in need of assistance. This will likely be accompanied by an increasing amount of under-insured injured claimants bringing pain and suffering (Tort) cases in our civil courts when they become aware of how much help they will need because they didn't buy optional coverage. At fault drivers' financial well-being will also be at risk when another driver with less coverage decides to sue them for their losses. Greater dollars must be allotted for the justice system as a result. The LAT, already falling far short of expectations of fairness, should be subject to an independent review given the failure to protect consumers from predatory insurers and the dismal rate of delays and denials that is the result of a bias to assist insurers.

It is up to our legislators to effect the change we need and it is up to the Minister of Finance, in this budget, to ensure the upcoming changes are well funded and well thought out to protect taxpayers. Wealthy insurance companies are poised to see profits rise as coverage falls and action to protect the taxpayer and the public purse needs to be addressed in the 2026 budget.

Thank you for the opportunity to have our voice heard in this consultation.

***FAIR Association of Victims for Accident Insurance Reform***