

I would like to make a few comments to describe my experiences with No-Fault Insurance. Let me preface these comments by explaining that before my experience I did think that I had a fairly sound understanding of why it was introduced. It came into being as a result of the large insurance corporations lobbying the Provincial government to decrease litigation and settlements to provide the average consumer with a better product and most importantly cheaper rates. Nothing could be further from the truth.

There is a fundamental flaw with an insurance system when as you or your loved one is near death the second person you meet (after the attending physician) is a hospital employee with a copy of the Ontario Auto Insurance Act.

Let me begin by describing our situation in some detail. My wife was a pedestrian in downtown [REDACTED] on [REDACTED] when she was struck and pinned on the sidewalk by a careless driver who was, by the way, 100% at fault. This has never been in dispute. Her injuries were extensive and severe but nothing compared to the mental and physical pain of continually having to fight for compensation. The threshold limits are woefully inadequate bordering on ridiculous. God help the person without adequate family or employment support.

No Fault was supposed to decrease litigation yet all it has done it put the burden on the victim. Our paperwork alone is presently over 2 meters thick. Legal help is still absolutely necessary if you can find it (several lawyers refused our case in fact). It has been our experience so far that insurance companies will spend thousands of dollars to limit compensation under the guise of thresholds and limits, which they lobbied the government for.

My spouse is unable to work full time but because she tried we were cut off at the knees financially the second she went back. All of her specialist appointments are at least 100 km away and you only get partially compensated for transportation expenses (threshold, limits) so with gas at \$1.30 a liter plus vehicle maintenance you can start to see the financial impact, not to mention the incredible time commitment.

The limits and thresholds, several of which have had to be pointed out to our adjuster by our lawyer, are forcing us to fight for every nickel in a situation that was in no way our fault – see the irony!

After 104 weeks you are essentially cut off (unless completely disabled) with no income replacement or housekeeping benefit. There is little or no compensation for pain and suffering and, believe me, my spouse suffered and continues to everyday.

The Insurance Company's patent line when denying a claim is, "check the legislation", or we need a "treatment plan". A treatment plan by the way is not covered by OHIP, so a fee ranging from \$50 to 150 applies, paid to your physician, chiropractor, physiotherapist, or other health professional. I defy anyone to decipher the convoluted mess of No Fault limits, hence the need for a lawyer. Dealing with your own company was supposed to be less adversarial, which it was at the start, but they will do almost anything to cut you off as soon as legally possible.

Our latest hurdle is whether or not my spouse's injuries should be deemed Catastrophic, for without this designation she is faced with a whole new limit for compensation. Needless to say they are spending thousands to refute this designation.

In conclusion, the last thing anyone in recovery should be worrying about is whether or not there will be financial support. The main goal needs to be recovery, not whether you will lose your job if you don't return fast enough. I'm sure there is abuse but to penalize honest, blameless, policyholders is unfair. The insurance industry, while great for the first few months, turns into a cold and callous machine with little regard for fairness and compassion. Savings promised by the Insurance lobby have failed to materialize, judging by my insurance statement, and those of my friends, yet most companies have had record years for profit. At least shareholders can have something to cheer about.

