

[REDACTED]

May 28, 2008

Hon. Dwight Duncan
Queen's Park
7 Queen's Park Crescent
Toronto, ON
M7A 1Y7

Dear Hon. Dwight Duncan,

I am writing to you on behalf of [REDACTED] about discriminatory practices against students injured in automobile accidents. Specifically, two issues of concern are the changes that define the verbal threshold and the deductible applied to pain and suffering being made by injured students.

The [REDACTED] considers the verbal threshold and the monetary deductible applied to pain and suffering claims and healthcare claims for persons who have been injured in motor vehicle accidents as discriminatory to students. Additionally, [REDACTED] believes the regulation, as it currently stands, unfairly limits students' access to justice. Students are being denied access to justice in seeking a claim for compensation for pain and suffering and health care costs for injuries sustained in a car accident due to the stringent "verbal threshold". When a claim is pursued, deductibles are applied which impact on the final settlement, resulting in the claimant often deciding to not pursue a claim. Furthermore, the verbal threshold is discriminatory to students because it treats them more harshly than employed persons who suffer exactly the same injury. A student who suffers exactly the same injury as an employed person could be denied the right to pursue compensation, while the employed person would be permitted to proceed.

Without changes to these regulations, [REDACTED] resolves to oppose these insurance regulations, highlight them to the public and MPP's as discriminatory to our members. We call upon you to immediately make regulatory changes to amend the "verbal threshold" and reduce deductibles to ensure access to justice for students and others now denied this right following injuries in car accidents.

Sincerely,

[REDACTED]

[REDACTED]