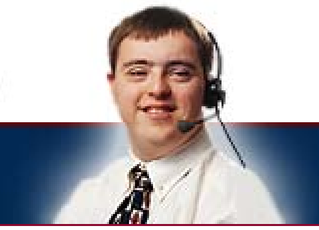

Property and Casualty - Auto Bulletins

Pension Bulletins

Monitoring and Enforcement Bulletins

Licensing Changes Bulletins

Bulletins by Sector

Bulletin

No. A-14/10
Property & Casualty
– Auto

Updated Professional Services Guideline

**To the attention of all insurance companies
licensed to transact automobile insurance in Ontario**

With this Bulletin, the Financial Services Commission of Ontario (FSCO) is releasing an updated Professional Services Guideline – Superintendent’s Guideline No. 04/10 (Guideline).

This updated Guideline recognizes the change from the Goods and Services Tax (GST) to the Harmonized Sales Tax (HST), which goes into effect on July 1, 2010. It also incorporates a 0.3 per cent increase in fees based on the 2009 Consumer Price Index for expenses related to services rendered on or after July 1, 2010.

This Guideline will be in effect from July 1, 2010. A revised Guideline will be issued subsequently to take into account the reforms under the Statutory Accident Benefits Schedule – Effective September 1, 2010.

Authority

This Guideline is issued by FSCO under subsection 268.3 (1) of the Insurance Act for the purposes of subsections 14 (4), 15 (6), 17 (2) and 24 (2) of the Statutory Accident Benefits Schedule – Accidents on or After November 1, 1996.

Changes

With the implementation of the HST, this Guideline provides direction on how the tax is to be applied. When applicable, the HST is payable by an insurer in addition to the rates and fees that are outlined in this Guideline.

The applicability of the HST falls under the jurisdiction of the federal government’s Canada Revenue Agency (CRA). For additional information regarding the applicability of the HST, please visit the CRA’s website at www.cra-arc.gc.ca or contact them by telephone at 1-800-959-5525.

Copies

The Guideline is attached for your information and can also be downloaded from the FSCO website at www.fsco.gov.on.ca. In addition, the Guideline will be published in a forthcoming edition of *The Ontario Gazette*.

Philip Howell
Chief Executive Officer and
Superintendent of Financial Services

June 18, 2010

Attachment:

- Professional Services Guideline – Superintendent's Guideline No. 04/10 (PDF)

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* Please Note: In order to make use of the "SAVE" feature, Adobe AcrobatÂ® Reader version 7.0 or higher must be installed.

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Commission des services financiers de l'Ontario

June 2010

Professional Services Guideline

Superintendent's Guideline No. 04/10

Professional Services Guideline

Introduction

This Guideline is issued pursuant to subsection 268.3 (1) of the Insurance Act for the purposes of subsections 14 (4), 15 (6), 17 (2) and 24 (2) of the Statutory Accident Benefits Schedule – Accidents on or After November 1, 1996 (SABS), and applies to expenses related to services rendered on or after July 1, 2010.

The maximum hourly rates and maximums payable for the completion of certain forms set out in this Professional Services Guideline apply to services rendered on or after July 1, 2010, even if they are approved prior to July 1, 2010.

Purpose

This Guideline establishes the maximum expenses payable by automobile insurers under the SABS related to the services of any of the health care professions or health care providers listed in the Guideline. These maximums are applicable to:

- a medical benefit under clauses 14 (2) (a), (b), or (h) of the SABS;
- a rehabilitation benefit under clauses 15 (5) (a) to (g) or (l) of the SABS;
- case management services under subsection 17 (1) of the SABS; or
- conducting an examination, assessment or provision of a certificate, report or treatment plan under subsection 24 (1) of the SABS.

Insurers are not prohibited from paying above any maximum amount or hourly rate established in the Guideline.

Services provided by health care professionals/providers, unregulated providers and other occupations not listed in the Guideline are not covered by the Guideline. The amounts payable by an insurer related to services not covered by the Guideline are to be determined by the parties involved.

Maximum Fees

Automobile insurers are not liable to pay for expenses related to professional services rendered to an insured person that exceed the maximum hourly rates set out in the Appendix.

Health Claims for Auto Insurance

With the implementation of the Health Claims for Auto Insurance (HCAI) system for transmitting certain accident benefit claim forms between health care providers and insurers through a central processing agency (CPA), the maximum payable to the CPA for fully completed electronic versions of the Treatment Plan (OCF-18) and Application for Approval of an Assessment or Examination (OCF-22) is $70.00. The maximum payable for fully completed paper versions of OCF-18 and OCF-22 is $63.72, as set out in the Appendix.

Expenses for Completion of Forms

Automobile insurers are not liable to pay for expenses related to the completion of certain accident benefit forms by the health professionals and providers listed in this Guideline that exceed the maximums set out in the Appendix. These maximums do not apply to the assessments related to the completion of these forms.

The expense for completion of an OCF-22 is payable only following the approval by the insurer of any assessment or examination proposed in the OCF-22, or a final determination by a Court or arbitrator that any assessment or examination proposed in the OCF-22 is reasonably required.

Collateral Benefits

In respect of any expense referenced in this Guideline, or in previous Superintendent's Professional Services Guidelines, the amount that an insurer would otherwise be liable to pay is subject to a reduction by that portion of the expense for which payment is reasonably available under any insurance plan or law, or under any other plan or law.

Administration Fees

"Expenses related to professional services" as referred to in the SABS and the Professional Services Guideline include all administration costs, overhead and related fees. Insurers are not liable for any administration or any other charges or surcharges that have the result of increasing the effective hourly rate beyond what is permitted under the Professional Services Guideline.

Harmonized Sales Tax (HST)

The applicability of the HST on the services of any health care professionals, health care providers, or form fees listed in this Guideline falls under the jurisdiction of the Canada Revenue Agency (CRA). If the HST is considered by the CRA to be applicable to any of the services or fees listed in this Guideline, then the HST is payable by an insurer in addition to the fees payable as set out in this Guideline.

APPENDIX – REVISED RATES AND FEES

Health Care Profession or Provider	Maximum Hourly Rate *except catastrophic impairments*	Maximum Hourly Rate *catastrophic impairments**
Chiropractors	$106.73	$128.07
Massage Therapists	$55.05	$84.27
Occupational Therapists	$94.37	$113.46
Physiotherapists	$94.37	$113.46
Podiatrists	$94.37	$113.46
Psychologists and Psychological Associates	$141.55	$169.63
Speech Language Pathologists	$106.18	$126.94
Registered Nurses, Registered Practical Nurses and Nurse Practitioners	$86.50	$103.36
Unregulated Providers		
Case Managers	$55.05	$84.27
Kinesiologists	$55.05	$84.27
Family Counsellors	$55.05	$84.27
Psychometrists	$55.05	$84.27
Rehabilitation Counsellors	$55.05	$84.27
Vocational Counsellors	$55.05	$84.27

*This rate applies to all services rendered on or after July 1, 2010 to an insured person whose impairment is determined to be a catastrophic impairment as defined in SABS ss. 2 (1.1) (a) to (g) and 2 (1.2) (a) to (g), whether such services are rendered before or after such determination is made.

Form	Maximum Payable for Completion of Form
Disability Certificate (OCF-3)	$63.72
Treatment Plan Form (OCF-18)	$63.72
Treatment Plan Form (OCF-18)- HCAI Electronic Version	$70.00
Form 1 – Assessment of Attendant Care Needs	$63.72
Auto Insurance Standard Invoice (OCF-21)	$0.00
Application for Approval of an Assessment or Examination (OCF-22)	$63.72
Application for Approval of an Assessment or Examination (OCF-22) - HCAI Electronic Version	$70.00