Revised Attendant Care Hourly Rate Guideline and Clarification of Health Care Providers Subject to the Professional Services Guideline

Bulletin

No. A-03/18
Property & Casualty - Auto

To the attention of all insurance companies licensed to transact automobile insurance and health care providers in Ontario

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An order that is made regarding a licence holder reflects a situation at a particular point in time. The status of a licence holder can change. Readers should check the current status of a person's or entity's licence on the Licensing Link section of FSCO's website. Readers may also wish to contact the person or entity directly to get additional information or clarification about the events that resulted in the order.

These bulletins may include forms that are no longer up-to-date or accurate. Readers should visit the forms section of the FSCO website, to ensure they are using the most recent version of a FSCO form.

With this Bulletin the Financial Services Commission of Ontario (FSCO) is releasing the revised Attendant Care Hourly Rate Guideline, which comes into effect April 14, 2018.

The revised Attendant Care Hourly Rate Guideline has been approved by the Superintendent for use in connection with the Statutory Accident Benefits Schedule – Effective September 1, 2010 (SABS). This revised guideline replaces the previously issued guideline.

FSCO is also reminding insurers and service providers that regulated and unregulated providers not identified in the Professional Services Guideline (PSG) are not covered by the PSG.

1. Attendant Care Hourly Rate Guideline

Calculation of Monthly Benefit

The Attendant Care Hourly Rate Guideline has been revised to require that the maximum hourly rates set out in the guideline be used with the Assessment of Attendant Care Needs (Form 1) to calculate the monthly attendant care benefit in accordance with section 19 (2) of the Statutory Accident Benefits Schedule – Effective September 1, 2010 (SABS).

Previous guidelines could be interpreted to strictly apply the maximum hourly rates as the maximum payable for attendant care services, rather than using the hourly rates to calculate a monthly benefit as was originally intended.

Effective Date

This change comes into effect on April 14, 2018.

Authority

The revised guideline is issued by the Superintendent under section 268.3 of the Insurance Act for the purposes of the SABS and is incorporated by reference into the SABS.

Implementing the Changes

Please inform your claims staff, and any other staff who may be affected, about this change. Also ensure that you make any operational changes needed to implement this change by the effective date.

Copies of the Guideline

The revised Attendant Care Hourly Rate Guideline is available on the FSCO website.

The guideline will also be published in a forthcoming issue of The Ontario Gazette.

2. Professional Services Guideline

FSCO has received a number of inquiries regarding how regulated and unregulated health care providers are paid for their services under the Professional Services Guideline (PSG) Size: ## kb.

As specified in the PSG and in Bulletin A-02/04, unregulated providers and other regulated providers not listed in the PSG (e.g., social workers and physicians) are not covered by the PSG.

The amount payable to service providers not covered by the PSG is to be determined by the parties involved.

Expenses for regulated and unregulated providers identified in the PSG are payable according to their professional designation and not by the services they provide. For example, case management services provided by an occupational therapist are payable at the occupational therapist rate and not at the case manager rate.

Brian Mills
Chief Executive Officer and
Superintendent of Financial Services

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