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PRINT

## Catastrophic Impairment - Public Hospitals Guideline and Updated Cost of Goods Guideline

FSRA is actively reviewing all FSCO regulatory direction, including but not limited to forms, guidelines and FAQs.

Until FSRA issues new regulatory direction, all existing regulatory direction remains in force.

The content on this web page has been replaced with [FSRA Guidance No. AU0134INT](#) visit <https://www.fsrao.ca/industry/auto-insurance-sector/guidance/guideline-public-hospitals-and-determination-catastrophic-impairment> to update your bookmarks.



### Bulletin

**No. A-09/16**  
**Property & Casualty**  
**- Auto**

#### To the attention of all insurance companies licensed to transact automobile insurance and service providers in Ontario

With this Bulletin, the Financial Services Commission of Ontario (FSCO) is releasing the new Catastrophic Impairment - **Public Hospitals Guideline (Superintendent's Guideline No. 01/16)** and an updated **Cost of Goods Guideline (Superintendent's Guideline No. 02/16)** .

Amendments have been made to the Statutory Accident Benefits Schedule – Effective September 1, 2010 (O. Reg. 34/10) (SABS) in regards to the definition of catastrophic impairment. The revised definition provides an automatic designation of catastrophic impairment for children (under the age of 18) with traumatic brain injuries in specified circumstances.

Another amendment was made to the eligibility test for medical benefit and rehabilitation expenses for other goods and services. The test for the listed expenses under the medical and rehabilitation benefits remains the same.

**NOTE:** The bulletins that are posted on this website are provided for historical reference purposes. The information in these bulletins is accurate on the date the information is published, but is subject to change and may be replaced by more recent bulletins.

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

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## Catastrophic Impairment - Public Hospitals Guideline

The guideline provides a list of the public hospitals for which in-patient admittance is one criterion for determining whether an insured person under the age of 18 at the time of the accident has a traumatic brain injury, pursuant to subparagraph 5 (i) of subsection 3.1 (1) of the SABS.

This guideline applies to all accidents occurring on or after June 1, 2016.

## Cost of Goods Guideline

The updated guideline applies to all accidents, effective on or after June 1, 2016, and accounts for the new test to be applied to other goods claimed under the medical and rehabilitation benefits. The test for other goods and services under paragraphs 15 (1) (h) and 16 (3) (l) are subject to a new requirement that an insurer agree that the goods and services claimed are essential for the treatment or rehabilitation of the insured person, and for which a benefit is not otherwise provided in the SABS.

## Authority

The new and updated guidelines are issued pursuant to subsections 268.3 (1) and (1.1) of the Insurance Act and are incorporated by reference in the SABS.

## Copy of the Guidelines

The Catastrophic Impairment - Public Hospitals Guideline and Cost of Goods Guideline are available on FSCO's website at [www.fSCO.gov.on.ca](http://www.fSCO.gov.on.ca) and will be published in the forthcoming edition of The Ontario Gazette.

Brian Mills  
Chief Executive Officer and  
Superintendent of Financial Services  
May 6, 2016

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.

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