



Service Providers Frequently Asked Questions



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Business Standards

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What will FSCO Regulate?

FSCO will regulate the service provider's business systems and billing practices as outlined in the Standards for [Business Systems and Practices regulation](#) .

What business practices will a licensed service provider be expected to comply with?

An important part of maintaining a Service Provider licence is meeting the standards for business systems and practices described in [O. Reg 90/14](#) . According to these requirements, among other things, all licensees must:

- Respond to insurer requests within ten (10) business days for certain types of information, such as the service provider's FSCO licence number and specified details about individuals who have been authorized to provide goods or services on its behalf.
- Ensure that each facility, branch or location is enrolled and in good standing with Health Claims for Auto Insurance (HCAI).
- Comply with the requirements of the HCAI Guideline.
- Use approved forms only, if the Superintendent has approved a form under the Statutory Accident Benefits Schedule.
- Ensure no invoices or other documents are submitted to HCAI if the service provider has reason to believe that they contain inaccurate, false or misleading information. If doubts arise after documents have already been submitted, the service provider must inform the insurer at the earliest opportunity and provide the insurer with the correct information.
- Conduct periodic reviews of documents submitted to insurers (as described in the regulation) to ensure compliance with the legislation and applicable guidelines, and reconciliation of billings.
- Retain any record related to goods and services provided by or on behalf of the service provider related to listed expenses for at least six (6) years from the date the record was created. Records can be retained in electronic or paper form but must be retrievable in usable electronic or paper form within five (5) business days of receiving a request.
- Establish and implement policies and procedures that are appropriate to the nature and volume of the service provider's business under the SABS.
- Report certain important changes in the service provider's business to FSCO (such as changes in contact information, principal representative, directors, officers or partners) within five (5) business days.
- File an Annual Information Return (AIR) to FSCO every year.

What type of written policies and procedures is the business expected to implement?

A service provider's policies and procedures must contain the following:

1. Policies and procedures to prevent the submission of false, misleading or deceptive documents (forms, plans, invoices, etc.) or information regarding a claim related to Statutory Accident Benefits ("listed expenses") to an insurer.
2. Policies and procedures to prevent the service provider from facilitating, directly or indirectly, the activities mentioned in paragraph (1).
3. Processes and procedures for the periodic review of records to ensure compliance with the legislation and requirements regarding periodic review of billings.

4. Processes to address and resolve complaints from insurers related to the service provider's business systems and practices in connection with listed expenses.

What information can an automobile insurer request from a service provider?

The service provider must give the following information to the insurer, upon request, within ten (10) business days:

1. The service provider's licence number.
2. The name of anyone who is currently authorized by the service provider to provide goods or services in connection with listed expenses on its behalf.
3. The registration number on the certificate of registration issued to a regulated health professional by his or her Regulatory College.
4. The name of anyone who used to be authorized by the service provider to provide goods or services in connection with listed expenses on its behalf in the past.
5. The time period for which the aforementioned individuals used to be authorized to provide goods or services in connection with listed expenses on the service provider's behalf.

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What changes to my licensing information must be reported to FSCO?

Every licensee must report any changes to the following information within five (5) business days:

1. Mailing address in Ontario.
2. Email address, telephone or fax number.
3. Location of principal place of business or any facility, branch office or location in Ontario.
4. Facilities, branch offices or locations opened, closed, acquired, amalgamated or transferred in Ontario.
5. Principal Representative.
6. Directors, officers or partners, as applicable.

All the above changes can be requested by logging into your existing FSCO account and completing an online application, except for changes to email address, telephone or fax numbers which should be reported to FSCO by email to contactcentre@fSCO.gov.on.ca.

How often should I review the required business records?

Every licensee must conduct periodic reviews of the forms, plans, invoices and any other documents submitted to insurers to ensure the licensed service provider complies with the legislation and its billings.

Depending on the size of the business, the review must be as frequent as:

Every three months

Service providers paid \$50,000 or more in claimed expenses under the SABS in the calendar year prior to the review.

Every 12 months

Service providers paid less than \$50,000 in listed expenses under the SABS in the calendar year prior to the review.

How long should I keep the required business records?

Licensees must retain any record related to goods and services provided in connection with listed expenses for at least six (6) years, from the date the record was created.

What is an Annual Information Return (AIR)?

The Annual Information Return (AIR) is a reporting form that must be submitted to FSCO once a year. It collects information about the service provider's business systems, practices and controls, in connection with billing for listed expenses, in the previous calendar year.

The AIR must be filed annually by the Principal Representative for the business activities conducted in the previous calendar year.

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Does my address in HCAI have to match the address I have registered with FSCO and that is listed on the public registry?

No. Ontario Regulation 348/13 requires a service provider applying for a licence to provide FSCO with a mailing address in Ontario that is not a post office box and that is suitable to permit service by registered mail.

I am no longer providing health care services in the auto insurance sector. Do I have to maintain my service provider licence?

If you no longer plan on doing business in the auto insurance sector, you must apply to the Superintendent under s. 288.6(9) of the Insurance Act to surrender your licence. Failure to file the next AIR and stopping fee payments does not deactivate your licence.

How do I surrender my service provider licence?

To properly surrender a licence, your Principal Representative must submit an application to FSCO by [logging into your FSCO account](#) and completing the online application entitled "Surrender Licence."

The surrender process takes some time. This is because the Superintendent (FSCO) needs to consider:

- any outstanding regulatory matters involving your business or its Principal Representative;

- any outstanding fees, charges or penalties payable under the Insurance Act;
- reasonable arrangements your business has made to retain records connected to listed expenses once the licence is surrendered; and
- whether your business has provided adequate information about the business records' future location.

I am selling my business. What happens to my service provider licence?

If you hold a service provider licence in the name of a partnership or in your personal name as a sole proprietor, you CANNOT transfer the licence along with the sale of your business.

Rather, you must **take steps to properly surrender it**. You must ensure that you complete the billing process for unbilled but delivered goods or services in the HCAI system before submitting your application to surrender your licence.

If you are selling your business and the service provider licence is held in the name of a corporation, you have two options.

1. If you sell your business assets (facility and client records), your service provider licence is NOT part of the deal.

You must **take the steps to properly surrender** your licence and make sure to complete the billing process in the HCAI system for services you have delivered up to the date of sale.

After you surrender your licence, the purchaser of your facility has the option to add your facility HCAI account number(s) to their service provider licence. The purchaser will need to do this by requesting a change on their own FSCO account.

2. If you sell your business by selling the shares of your corporation, the new owner has effectively purchased your service provider licence.

The Principal Representative and the new owner of the corporation are responsible for submitting the applications to update the licence to reflect ownership changes such as adding or removing Directors/ Officers/Partners, and changing the Principal Representative.

FSCO may review these applications for suitability.

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I have an active service provider licence and I am buying the business assets of a facility of another licensed service provider and wish to add that facility to my licence. What is the process?

You must wait until the previous owner has submitted all of their outstanding billing for unbilled but delivered goods and services in the HCAI system and has surrendered their licence. Once the licence has been surrendered, you can add that facility's HCAI number to your service provider licence.

Please note, you must also update the facility contact information in the HCAI system. You will then be able to bill for goods and services delivered after this date but not before.

I do not have an active service provider licence and I am buying the business assets of a facility that is

currently licensed. What is the process?

Please contact FSCO directly for more information on how to proceed.

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