



1723 Hollis Street, 4th. Floor
Halifax, NS B3J 1V9

Bus: (902) 424-6331
Fax: (902) 424-1298
Email: fininst@gov.ns.ca

**Finance and Treasury Board
Financial Institutions Division**

The Office of the Superintendent of Insurance Bulletin

January 31, 2014

- The following bulletin addresses the Minor Injury Cap amount for 2014
- Matters regarding the Diagnostic and Treatment Protocols Regulations
- Updates to the Nova Scotia Policy Form 1 and 4 (N.S.P.F1), (N.S.P.F.4) and other Standard Endorsement Forms (NSEF's)

Minor Injury Cap

Pursuant to regulatory amendments (link below) effective July 1, 2010 the Cap on Minor Injuries must be reviewed annually to reflect changes in the Consumer Price Index for Nova Scotia, not seasonally adjusted, as published by Statistics Canada, for the previous calendar year. Should the CPI number be negative the Minor Injury amount for the previous year will stand.

To calculate the 2014 minor injury cap according to the regulations, we require the annual average all-items CPI published by Statistics Canada on January 24, 2014 link below;
<http://www.statcan.gc.ca/tables-tableaux/sum-som/l01/cst01/cpis01d-eng.htm>

The new minor injury cap should be calculated as:

2013 Cap = \$8,100

Annual average percentage change for the all-items Consumer Price Index for Nova Scotia

2014 Cap = 2013 Cap + the annual average percentage change for the all-items Consumer Price Index for Nova Scotia

2014 Cap = \$8,213

Link to the regulations: Section 13 - Damages recoverable for non-monetary loss for minor injuries <http://www.gov.ns.ca/just/regulations/regs/iminor.htm>

Diagnostic and Treatment Protocols

The Diagnostic and Treatment Protocols Regulations are intended to provide clients with necessary supplies for self-care. If a client is being treated within the Diagnostic and Treatment Protocols, the health care practitioner may invoice the insurance company directly for the necessary supplies. Items must be reasonably priced, itemized and required for the clients self-care. These supplies are to be used in a client's home. An example of such supplies are

exercise balls, tensor bandages and cold packs. These supplies are not intended for use in the health care practitioners office. The authority to prescribe fees for the supplies by the Superintendent of Insurance is granted under Regulations Respecting Diagnostic and Treatment Protocols Related to Automobile Accidents, section 8 subsection (1) (d).

Maximum chargeable amounts for supplies or services intended for clients under the Regulations Respecting Diagnostic and Treatment Protocols Related to Automobile Accidents:

\$160 for WAD II and Third Degree sprain or strain injuries;

\$120 for WAD I injury;

\$60 for First and Second Degree sprain or strain injury; or

\$160 for all sprains, strains or WADI or II injuries of the client

Clarification

While adjunct therapy treatments are included in the total number of visits in a treatment plan, 10 or 21 depending on the injury, the existing fee structure outlining the rate of compensation for health care practitioners is not intended to capture those adjunct therapists that may be included in the treatment plan. For example a massage therapist will charge their usual rate while a physiotherapist or chiropractor are part of the fee schedule and will charge a rate which corresponds to the treatment visit. The number of treatments will include the adjunct therapy visits for the purposes of the order of visits and total number of visits.

Forms

Pursuant to Section 108 of the Insurance Act, this office has approved a new N.S.P.F. no 4 Garage Automobile Policy incorporating the legislative and regulatory amendments. As well, there was a minor correction to the existing N.S.P.F no1. There are several amended Nova Scotia Standard Endorsement Forms (NSEF's) designed to support the policy wordings. These forms are approved by this office and available through Informco Inc. Please contact Kami Singh for specific forms and policy wordings. Ms. Singh may be reached at ksingh@informco.com or 416-285-3294.

Should you have any questions or concerns regarding any of the above matters, do not hesitate to contact this office directly at 902-424-6331.

Doug Murphy
Superintendent of Insurance