

June 4, 2015

Brian Mills  
Chief Executive Officer and  
Superintendent, Financial Services (Interim)  
Financial Services Commission of Ontario  
5160 Yonge Street, Box 85  
Toronto, Ontario  
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**RE: FSCO Draft 2015 Statement of Priorities**

The Coalition of Health Professional Associations in Automobile Insurance Services represents over 10,000 front line health professionals from over ten professions involved in the assessment and treatment of Ontarians after an auto accident.

The Coalition is pleased to respond to FSCO's Draft Statement of Priorities; in particular, to the protocol for minor injuries, FSCO's new regulatory authority over service providers, dispute resolution and regulatory compliance.

*"In 2012, FSCO procured consulting services of scientists and medical experts to develop an evidence-based protocol for minor injuries. The new protocol may form the basis of a new Superintendent Minor Injury Guideline and Minor Injury Treatment Protocol. The protocol could be used by health care providers and insurers when treating minor injuries resulting from automobile accidents, and to ensure that there is an extensive continuum of care based on current scientific and medical evidence. In January 2015, FSCO received the report from the consultants; it is now being reviewed and translated, and will be consulted on later this year."*

The Coalition is keen to participate in the review and consultation of the Minor Injury Guideline final report. The current Minor Injury Guideline, intended to be an interim guideline, has been in effect since 2010. We look forward to an opportunity to work with FSCO and other stakeholders to try and provide the best possible outcomes for insured persons who could potentially be treated under this guideline.

*"In December 2014, FSCO began to licence and regulate health service providers that receive direct payment from auto insurers for specified statutory accident benefits. The new regulatory regime was launched to protect consumers from fraudulent billing practices in the sector and is a component of the government's auto insurance cost and rate reduction strategy. As the sector enters its first year as a regulated area, FSCO will continue to ensure compliance with the law through pro-active communications outreach and supervisory practices."*

The Coalition has been providing input and support to FSCO regarding the service provider regulatory system since it was originally recommended by the Anti-Fraud Task Force. While we remain uncertain of its effect in significantly reducing fraudulent claims, we are committed to helping FSCO to provide the best possible system for claimants, providers and insurers. We would strongly encourage ongoing

review of the licensing processes and procedures, particularly following the results of the initial examination process and subsequent licensing renewal. As well, we would encourage a full cost analysis of the system and how it relates to licensing fees at the soonest possible opportunity. A process for reviewing licensing fees, shared transparently with the service provider community, would serve to increase a level of trust in good governance over this new regulatory regime.

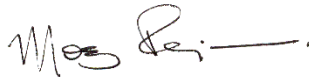
*“FSCO is providing support to the Ministry of Finance and the Ministry of the Attorney General in their work to transfer the FSCO dispute resolution system to the Licence Appeal Tribunal.”*

The Coalition supports improvements to dispute resolution, particularly where quick resolution can be achieved in regards to a disputed treatment plan, in order to allow for quicker access to reasonable and necessary treatment for injured persons. We maintain that the hallmark of a successful dispute resolution system is one that allows an injured person with fair and timely access to decision making.

Finally, we also note that FSCO’s priorities include that they “Ensure financial services industry compliance with laws and regulations”. Our members continue to note a lack of fair and appropriate payment of the HST on those goods and services that are required to collect and remit the HST according to the Canada Revenue Agency. We would encourage increased education and oversight of insurers to ensure that they are complying with this requirement.

Thank you for the opportunity to comment, and we look forward to continuing to work with FSCO in the future.

Respectfully,



Dr. Moez Rajwani  
Co-Chair



Dorianne Sauvé  
Co-Chair