

Rehabilitation at an added cost

RIGHT SIDE OF THE LAW

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Insurance legislation introduced in 2010 has now, two years later, come under scrutiny, as expected. The most recent arbitration is about the minor injury guideline or, as we call it in the industry, the MIG.

This guideline was introduced to limit medical rehabilitation coverage to \$3,500. If you are found to not be in the MIG, your coverage jumps to \$50,000. Clearly there is an

incentive
to keep
people
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MIG as it limits the exposure of the insurance company.

The most recent decision stated that, among other injuries, chronic pain, temporomandibular joint pain (TMJ) and post-traumatic stress disorder do not confine a claimant to the MIG. This is extremely significant. Some will classify chronic pain as pain lasting more six months and some say it is pain that persists past the one-year mark.

What does that mean for the average person? Now more than ever you will need legal representation if you fall into one of the above categories. Claimants will need to provide compelling evidence to the insurance company that they fit into one of the above definitions so they will get the

extended coverage. It is easier said than done. Trust me.

Insurance companies will not roll over and accept your word -- often they will not even accept the word of your treating practitioner. Experts need to get involved and mediation is often necessary. It is important to have a good team behind you.

If you fall into one of these categories, call a personal injury lawyer for a free consultation. It is important to know your rights under this recent ruling and be prepared. ■

Sandra Ziskind provides an educational article for viewing, it should not be construed as legal advice. If you need Legal advice, please contact a lawyer or Sandra Ziskind at 416 850 PAIN


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