

# NEINSTEIN & ASSOCIATES

LLP

## PERSONAL INJURY LAWYERS

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## **Dramatic and Punitive Changes to Accident Victims**

Once again, the Liberal government has quietly, without any input or debate from various stakeholders, such as plaintiff lawyers, health care providers and above all accident victims passed legislation that radically changes and restricts our clients' ability to claim Attendant Care and Medical & Rehabilitation Benefits.

Simply put, Attendant Care service providers' economic loss will now be restricted to the amount of the actual income loss, thus completely rendering the Court of Appeal decision of Henry v. Gore and all previous case law on the subject, moot.

As you know, the vast majority of our clients' Attendant Care services providers are family members that have been forced to resign from their employment to care for their injured loved ones. With these changes, regardless of the Form 1 amount, the family will only be reimbursed the actual income loss sustained by the service provider.

To make matters worse, this legislation has also tightened up the Minor Injury Guideline,

making it much easier for the insurance company to relegate our clients to the punitive Medical & Rehabilitation cap of \$3,500.00.

[View Insurance Act Here](#)

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