

# BULLETIN

## TO ALL LICENSED CHIROPRACTORS, ADJUSTERS, ADJUSTMENT COMPANIES, AND INSURANCE COMPANIES UNDERTAKING AUTOMOBILE INSURANCE

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### Interpretation of Subsection 1(1) of Section B of the Standard Automobile Insurance Policy

The Newfoundland and Labrador Chiropractic Association (NLCA) has expressed concerns to the Superintendent of Insurance about access to chiropractic care that is covered under Section B, Subsection 1(1) of the Standard Automobile Insurance Policy (the Policy) as necessary chiropractic care. In short, some Section B claimants are being advised that they must obtain a referral from a medical doctor before costs for necessary chiropractic care will be paid.

Subsection 1(1) of the auto policy says an insurer will pay all reasonable expenses incurred within four years from the date of the accident for "... necessary medical, surgical, dental and chiropractic ..." care. **This Bulletin is to advise the insurance industry that our interpretation is that a victim of an automobile accident that is entitled to make a claim under Section B of the Policy is not required to obtain a referral from a medical doctor to access necessary chiropractic care to have the reasonable expenses for that care paid under Subsection 1(1) of the Policy in accordance with the above stated insurer's obligation.**

This is the second time that the insurance industry has received a bulletin concerning the interpretation of Subsection 1(1) of the Policy, the first being an IBC Legal Division Bulletin issued on January 19, 2001. We therefore ask all insurance companies and adjustment companies to ensure that their practices and processes in dealing with Section B claimants reflect the above interpretation.

It is the opinion of this office that advising Section B claimants that they must obtain a referral from a medical doctor before costs for necessary chiropractic care will be paid under Subsection 1(1) of the Policy is **misrepresentation**. Should this office receive a complaint in future alleging that an individual was required to obtain a referral when one is not necessary, the matter will be investigated and the licensee(s) could face regulatory action as provided for under the legislation which he, she or the company is licensed.

*"Douglas Connolly"*

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