

(1) a maximum amount of \$800 for liposuction in the case of a single lesion;

(2) a maximum amount of \$400 per liposuction to treat each additional lesion;

(3) a maximum amount of \$800 for an injection of fat in the case of a single lesion;

(4) a maximum amount of \$400 per fat injection to treat each additional lesion.

In cases where liposuction or fat injection requires contralateral action or multiple sessions, a treatment plan must be given prior approval by the Société.”.

**3.** The following is substituted for section 26:

“**26.** Expenses incurred for transportation by private automobile qualify for reimbursement up to the maximum amount provide in Schedule III.”.

**4.** The following is substituted for section 27:

“**27.** Taxi fare qualifies for reimbursement in the following instances:

(1) when the victim’s state of health precludes the use of public transit;

(2) where public transit does not serve the itinerary that must be travelled;

(3) when taking a taxi is more economical than using public transit.”.

**5.** Section 28 is amended by striking the words “the first paragraph of” in paragraph 1.

**6.** Section 29 is amended by striking the words “the first paragraph of” in paragraphs 1 and 2.

**7.** The following is substituted for section 51:

“**51.** In the case of a mentally incompetent victim whose interests are not already protected, expenses incurred for the appointment of a guardian, trustee or legal counsel, or for sanction of the assignment of proxy by a person of age in expectation of incompetence qualify for reimbursement to a maximum of \$350.”.

**8.** The following is substituted for section 54.22:

“**54.22** Expenses incurred for the purchase of urological supplies qualify for reimbursement when the following conditions are met:

(1) they are incurred for a medical reason resulting from the accident and are prescribed by a physician;

(2) at the Société’s request, the victim provides an evaluation of needs conducted by a nurse specialized in the field.”.

**9.** Section 56 is amended:

(1) by substituting “\$35” for “\$50”;

(2) by substituting “\$70” for “\$100”.

**10.** Section 57 is amended:

(1) by substituting “\$600” for “\$250” in paragraph 1;

(2) by substituting “\$600” for “\$250” and “\$1 800” for “\$750” in paragraph 2.

**11.** Schedule III is amended by substituting “\$0.125” for “\$0.34” in the line concerning section 26.

**12.** This Regulation comes into force on August 1, 1996.

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Gouvernement du Québec

**O.C. 766-96, 19 June 1996**

Automobile Insurance Act  
(R.S.Q., c. A-25)

**Permanent impairments  
— Amendments**

CONCERNING the Regulation to amend the Regulation respecting permanent impairments

WHEREAS under paragraphs 12 and 13 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25) the Société de l’assurance automobile du Québec may make regulations:

— to establish a schedule of permanent impairments and fix the percentage attributed to each impairment;

— to fix or provide for the determination of an additional percentage where the permanent impairment affects symmetrical organs or an organ that is symmetrical to an already impaired organ, taking into account the nature of the impaired organs and the anatomical or functional nature of the impairments;

WHEREAS the Société made the Regulation to amend the Regulation respecting permanent impairments;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* dated 27 March 1996 with a notice that it could be submitted to the Government for approval after forty-five days had elapsed from the date of its publication;

WHEREAS it is expedient that the Regulation be approved with certain changes;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the "Regulation to amend the Regulation respecting permanent impairments", the text of which appears below, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting permanent impairments

Automobile Insurance Act  
(R.S.Q., c. A-25, s. 195, pars. 12, 13 and 14)

**1.** The Regulation respecting permanent impairments, made by Order in Council 1921-89 dated 13 December 1989, is amended by inserting the following sections after the heading of Division II:

"**1.1** Where permanent anatomicophysiological deficits affect internal organs or organs controlling vision, balance and hearing, an enhancement factor taking bilaterality into account is already included in the percentages set forth in Appendix I.

**1.2** Where permanent impairment of organs or symmetrical limbs is the result of damage to the central nervous system, an enhancement factor taking inherent bilaterality into account is already included in the percentages set forth in Appendix I."

**2.** The following is substituted for section 2 of the Regulation:

"**2.** Where permanent anatomicophysiological deficits affect symmetrical limbs or a limb symmetrical to one that is already impaired, the average of the percentages of the anatomicophysiological deficits for both limbs is multiplied by an enhancement factor of one-quarter, up to the sum of percentages of the lesser damaged limb.

The average is obtained by adding together the percentage of anatomicophysiological deficit of each of the two symmetrical limbs and dividing the sum by 2.

The percentage so obtained is added to the percentages of anatomicophysiological deficits resulting from the accident.

Symmetrical deficits are established on a limb-to-limb basis: the upper right limb with the upper left limb and the lower right limb with the lower left limb. The upper limb includes the scapula and clavicle. The lower limb includes the pelvis."

**3.** Section 3 is revoked.

**4.** Part I of Schedule I to the Regulation is amended:

(1) by striking out "and discoidectomies, if applicable" from paragraph 3 of section 18 in Division III of Title I;

(2) by substituting "axis" for "odontoid" in paragraph 7 of section 18 in Division III of Title I;

(3) by striking out "and discoidectomies, if applicable" from paragraph 3 of section 19 in Division III of Title I;

(4) by striking out "and discoidectomies, if applicable" from paragraph 3 of section 20 in Division III of Title I;

(5) by striking out the words "following the herniation of" in paragraph 1 of section 21 in Division III of Title I;

(6) by inserting the following after subparagraph *c* of paragraph 4 of section 9 in Division II of Title II:

"(d) affecting the sub-orbital area: 1 %;"

(7) by substituting the following for Title V:

### "TITLE V RESPIRATORY APPARATUS

1. Absence of spontaneous respiration: 100 %

2. Restrictive functional alteration, with regard to vital capacity, respiratory volume and other pulmonary volumes, the percentage of functional alteration corresponding to the percentage of the deficit, a percentage of alteration of 60 % or more corresponding, however, to a deficit of 80 %: 20 to 80 %

3. Stenosis of the trachea:	
(1) requiring a permanent tracheostomy, depending on phonetic alterations:	10 to 20 %
(2) without permanent tracheostomy:	1 to 3 %
4. Loss of a lung:	20 %
5. Paralysis of the phrenic nerve:	
(1) with restrictive functional alteration:	depending on the restrictive functional alteration
(2) without restrictive functional alteration:	15 %
6. Pleural impairment:	
(1) with restrictive functional alteration:	depending on the restrictive functional alteration
(2) without restrictive functional alteration:	according to Table 10
7. Loss of two pulmonary lobes:	6 %
8. Loss of a pulmonary lobe:	3 %
9. Alteration of tissue following a thoracotomy:	2 %
10. Alteration of tissue following thoracic drainage:	0.5 %

11. Alteration of tissue following a tracheotomy: 1 %”.

(8) by substituting the following for section 2 of Title VI:

“2. Alteration of tissue

(1) alteration of tissue following a first laparotomy: 2 %

(2) alteration of tissue following a laparotomy other than the first:

*a)* through a route previously used: 1 %  
*b)* through a new route: 2 %

(3) alteration of tissue following a first laparoscopy: 0.5 %

(4) alteration of tissue following a laparoscopy other than the first:

*a)* through a route previously used: 0.25 %  
*b)* through a new route: 0.5 %

(5) Alteration of tissue following abdominal drainage: 0.5 %”.

**5.** Part II of Appendix I to the Regulation is amended:

(1) by substituting the following for Table 15:

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**Evaluation of physiognomy impairments**


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<b>Class of physiognomy impairments</b>	<b>Changes in the form and symmetry</b>	<b>Cicatricial impairment</b>	<b>Max. Disfig.</b>
Class 1 No impairment	No conspicuous change	No conspicuous impairment	—
Class 2 Very minor impairment	Very minor change affecting one anatomical element: 1 %	Conspicuous impairment: 1 %/cm <sup>2</sup>	3 %
Class 3 Minor impairment	Conspicuous change: a) affecting one anatomical element: 3 % b) affecting two anatomical elements: 4 % c) affecting more than two anatomical elements: 7 %	Conspicuous impairment: a) flat scar: 1 %/cm <sup>2</sup> b) faulty scar: 2 %/cm <sup>2</sup>	7 %
Class 4 Moderate impairment	Conspicuous change that holds one's attention: a) affecting one anatomical element: 10 % b) affecting two anatomical elements: 12 % c) affecting more than two anatomical elements: 15 %	Conspicuous impairment: a) flat scar: 1 %/cm <sup>2</sup> b) faulty scar: 3 %/cm <sup>2</sup>	15 %

(2) by substituting the following for Table 17:

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**Evaluation of impairments to other parts of the body**


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<b>Parts of the body</b>	<b>Change of form and symmetry</b>	<b>Cicatricial impairment</b>	
		<b>damage to full thickness of the skin (dermis and epidermis)</b>	<b>damage to partial thickness of the skin (epidermis)*</b>
Scalp and skull	Minor or moderate change: 1 to 3 % Severe change: 5 %	Conspicuous impairment: 0.5 %/cm <sup>2</sup>	Conspicuous impairment: 0.05 %/cm <sup>2</sup>
<b>The maximum percentage of impairment for the skull and scalp together is 5 %</b>			
Neck	Minor or moderate change: 1 to 5 % Severe change: 8 %	Conspicuous impairment: 1 %/cm <sup>2</sup>	Conspicuous impairment: 0.1 %/cm <sup>2</sup>
<b>The maximum percentage of impairment for the neck is 8 %</b>			

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**Evaluation of impairments to other parts of the body**


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Parts of the body	Change of form and symmetry	Cicatricial impairment	
		damage to full thickness of the skin (dermis and epidermis)	damage to partial thickness of the skin (epidermis)*
Shoulders, arms and elbows	Minor or moderate change: 0.05 to 2 % Severe change: 4 %	Conspicuous impairment: 0.5 %/cm <sup>2</sup>	Conspicuous impairment: 0.05 %/cm <sup>2</sup>

**The maximum percentage of impairment for the shoulder, arm and elbow together is 4 % on the right side and 4 % on the left side**

Forearms and wrists	Minor or moderate change: 0.5 to 2 % Severe change: 5 %	Conspicuous impairment: 1 %/cm <sup>2</sup>	Conspicuous impairment: 0.1 %/cm <sup>2</sup>
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**The maximum percentage of impairment for the forearm and wrist together is 5 % on the right side and 5 % on the left side**

Hand	Minor or moderate change: 1 to 3 % Severe change: 6 %	Conspicuous impairment: 1 %/cm <sup>2</sup>	Conspicuous impairment: 0.1 %/cm <sup>2</sup>
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**The maximum percentage of impairment for a hand is 6 % on the right side and 6 % on the left side.**

Trunk	Minor or moderate change: 1 to 3 % Severe change: 6 %	Conspicuous impairment: 0.5 %/cm <sup>2</sup>	Conspicuous impairment: 0.05 %/cm <sup>2</sup>
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**The maximum percentage of impairment for the trunk is 6 % in front and 6 % in the rear**

Lower limbs	Minor or moderate change: 1 to 4 % Severe change: 8 %	Conspicuous impairment: 1 %/cm <sup>2</sup>	Conspicuous impairment: 0.1 %/cm <sup>2</sup>
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**The maximum percentage of impairment for a lower limb is 8 % on the right side and 8 % on the left side**

\* Example: surface that is hypo- or hyperpigmented.

**6.** This Regulation comes into force on August 1, 1996.