

(1) stability of the victim's medical condition: no improvement or deterioration that would affect the victim's fitness for work can be expected in the short or long term;

(2) application of basic mortality rates used by the Régie des rentes du Québec for the actuarial valuation at 31 December 1994, which were determined from data on death rates for the years 1990 to 1992 supplied by the Institut de la statistique du Québec;

(3) adjustment of mortality rates with dynamic improvement factors used by the Régie des rentes du Québec for the actuarial valuation at 31 December 1994, by applying the following formula:

$$q_x(s, x, y) = q_x(s, x, d) \times \text{fac}_x(s, x)^{(y-d)}$$

where

s: sex, x: age, y: projection year, d: 1991

fac_x(s,x) = dynamic improvement factor by sex, age

(4) in order to reflect the specific experience of death rates for victims receiving an income replacement indemnity from the Société, application of the following correction factors, which vary with the level of anatomophysiological deficit (DAP), to mortality rates calculated above, using the formula:

$${}^{\text{dap}}q_x(s, x) = 1 - \exp(a \times \ln(1 - q_x(s, x)))$$

where

s: sex, x: age

a: correction factor

according to DAP: DAP of 0.00 % to 35 %: 1.046
 DAP of 35.01 % to 75 %: 1.393
 DAP of over 75 %: 2.113
 DAP undetermined: 1.272

(5) application of a net interest rate for the first fifteen years after the date of the calculation corresponding to the most recently available real interest rate at the end of the month on Government of Canada bonds, as published by the Bank of Canada (reference no. B14081), adjusted as follows:

a) addition of 0.25 %;

b) conversion of the resulting nominal interest rate, which is compounded on a semi-annual basis, to the equivalent annual rate;

(6) as of the sixth year, application of an interest rate of 3.25 %.

2. This regulation comes into force on 1 January 2000.

3089

Draft Regulation

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

Reimbursement of certain expenses — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the reimbursement of certain expenses, adopted by the Société de l'assurance automobile du Québec and whose text appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The draft Regulation prescribes new conditions governing the reimbursement of expenses incurred for personal home assistance so that short-term and long-term assistance requirements be evaluated more accurately, particularly by taking into account the nature and seriousness of the injuries sustained by a victim. The draft Regulation is also intended to simplify the rules governing the reimbursement of expenses incurred for the purchase of a prosthesis or an orthosis intended for the spinal column or lower or upper limbs. Amendments are made to the amounts reimbursable for expenses incurred for the correction of scars and other deformities. Finally, the proposed Regulation provides for the reimbursement of lost salary when victims have to temporarily leave their work to receive medical or paramedical care.

Further information may be obtained by contacting Ms. Francine Boulianne, at the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, S-4-21, C.P. 19600, Québec, G1K 8J6 (tel. (418) 528-3950, fax: (418) 528-1223, E-mail: Francine.Boulianne@saaq.gouv.qc.ca).

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Chairman and Chief Executive Officer of the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, C.P. 19600, Québec, G1K 8J6 (fax: (418) 644-0339).

JEAN-YVES GAGNON,
 Chairman and Chief Executive Officer

Regulation to amend the Regulation respecting the reimbursement of certain expenses*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 15, 16, 18 and 19;
1999, c. 22, s. 38, par. 2)

1. The Regulation respecting the reimbursement of certain expenses is amended by substituting the following for Chapter I:

“PERSONAL HOME ASSISTANCE

1. This Chapter governs the reimbursement of expenses incurred for the personal home assistance referred to in section 79 of the Automobile Insurance Act (R.S.Q., c. A-25), amended by section 16 of Chapter 22 of the Statutes of 1999.

2. The Société de l'assurance automobile du Québec evaluates the personal home assistance requirements of the following victims, in accordance with the criteria set out in Schedule I.1:

(1) the victim sustained at least one injury for which the list of injuries gives a detailed evaluation of personal home assistance requirements;

(2) the victim sustained injury to the extent that his mental condition could have an impact on personal assistance requirements;

(3) before the accident, the victim had a medical condition that could have an impact on personal assistance requirements;

(4) the victim is less than 16 years old.

The evaluation of the needs of a victim under 16 years of age is weighted in accordance with the criteria prescribed in Schedule I.2.

3. The expenses incurred that qualify for reimbursement to a victim referred to in section 2 are determined on the basis of the evaluation results, according to the following formula, up to the maximum amount prescribed in section 79 of the Act:

<u>Total number of points</u>	x	maximum amount
174		prescribed in section 79
		of the Act

A total of less than 11 points does not qualify for reimbursement.

Notwithstanding the evaluation results, a victim is entitled to a reimbursement of expenses incurred up to the maximum weekly amount prescribed in section 79 of the Act, where continual attendance is required to ensure appropriate intervention because assistance may be required at any time, in particular, where the victim's behaviour could endanger his health and safety or that of anyone around him.

4. The personal assistance needs of victims other than those specified in section 2 are determined in accordance with the following terms and conditions:

(1) identification, using the List of injuries provided in Schedule I, of the anatomical regions affected;

(2) selection of the anatomical regions affected based on the priority shown in Schedule I.3, up to a maximum of three;

(3) percentage attributed, in accordance with the table provided in Schedule I.3, which corresponds to the anatomical regions previously selected.

The amount of the reimbursement of expenses incurred by a victim referred to in this section is equal to the product obtained by multiplying the percentage attributed by the amount prescribed in section 79 of the Act.

Where a personal home assistance is still warranted after a continued period of 180 days, the needs of the victim and the amount of the reimbursement of expenses incurred are determined in accordance with sections 2 and 3 of this regulation.

4.1 Where applicable, the amount of the reimbursement of expenses incurred for personal home assistance is rounded off to the nearest dollar.

4.2 Personal home assistance expenses do not qualify for reimbursement where the personal assistance services are provided by an institution referred to in the Act respecting health services and social services (R.S.Q., c. S-4.2) and the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

4.3 Except where the Société covers lodging expenses for a victim in an institution, the amount of the reimbursement of personal home assistance expenses may be

* The Regulation respecting the reimbursement of certain expenses, approved by Order in Council 1925-89 dated 13 December 1989 (1989, G.O. 2, 4661), was amended by the Regulation approved by Order in Council 789-93 dated 2 June 1993 (1993, G.O. 2, 3158) and the Regulation approved by Order in Council 765-96 dated 19 June 1996 (1996, G.O. 2, 2883).

replaced by an equivalent weekly allowance on condition that the victim provides the Société with documents that identify the person providing the personal home assistance services and attesting to the amounts incurred for such services.”.

2. The following is substituted for section 13:

“**13.** Expenses incurred for the correction of a scar qualify for reimbursement up to:

(1) a maximum amount of \$258 for a scar of less than 4 cm²;

(2) a maximum amount of \$387 for a scar of 4 cm² to 10 cm²;

(3) a maximum amount of \$580 for a scar of more than 10 cm² up to 20 cm²;

(4) a maximum amount of \$774 for a scar of more than 20 cm².

Where the correcting of a scar requires several treatment sessions, a treatment plan must be given prior approval by the Société.”.

3. Section 13.1 is amended by substituting the following for the first paragraph:

“**13.1** Expenses incurred for the correction of a deformity qualify for reimbursement up to:

(1) a maximum amount of \$860 for liposuction in the case of a single lesion;

(2) a maximum amount of \$430 per liposuction to treat each additional lesion;

(3) a maximum amount of \$860 for an injection of fat in the case of a single lesion;

(4) a maximum amount of \$430 per fat injection to treat each additional lesion.”.

4. Section 15 is amended:

(1) by substituting “15.1” for “16” in the first paragraph;

(2) by striking out the word “rental” after the word “purchase” in the first paragraph;

(3) by adding the words “because of an accident” at the end of subparagraph 1 of the first paragraph;

(4) by deleting the second paragraph.

5. The following sections are inserted after section 15:

“**15.1** Expenses incurred for the purchase of a prosthesis or an orthosis intended for the spinal column or lower or upper limbs qualify for reimbursement when the following conditions are met:

(1) where the expenses incurred exceed \$500, including delivery and labour charges, the victim provided the Société with a tender giving the name of the victim and of the supplier, the purchase price and any guarantee covering the prosthesis or orthosis;

(2) except in the case of an orthosis for a fracture, the victim received approval from the Société to purchase the prosthesis or the orthosis at the cost it determined;

(3) the victim provided the Société with the invoice for the prosthesis or orthosis, which must contain:

(a) a description and detailed cost of the prosthesis or orthosis including the manufacturer’s code number, where applicable;

(b) delivery and labour charges;

(c) the guarantee;

(d) the signature of the victim or the victim’s agent.

15.2 Expenses incurred for the repair of a prosthesis or orthosis intended for the spinal column or lower or upper limbs qualify for reimbursement when the following conditions are met:

(1) the expenses are for a prosthesis or orthosis, the purchase of which was reimbursed by the Société;

(2) the expenses do not exceed 80 % of the initial purchase price;

(3) the expenses are not covered by the supplier’s guarantee;

(4) the victim provided the Société with an application for reimbursement, duly signed by the victim or the agent, with an invoice for the repair, which must contain:

(a) a description of the repaired prosthesis or orthosis, including the manufacturer’s code number, where applicable;

(b) a detailed cost of the repaired or replaced parts;

(c) delivery and labour charges;

(d) the guarantee on the repairs.

15.3 Expenses incurred for the replacement of a prosthesis or orthosis intended for the spinal or lower or upper limbs qualify for reimbursement where the victim provided the Société, at his own expense, with an estimate showing that the cost of repair exceeds 80 % of the initial cost and that the conditions prescribed in section 15.1 that applied upon purchase have been met.

15.4 Reimbursement of expenses incurred for the purchase, repair or replacement of a prosthesis or orthosis intended for the spinal column or lower or upper limbs includes delivery and labour charges.”.

6. The following is substituted for section 52:

“**52.** Real loss of wages incurred by a victim who is fit to work may be reimbursed up to a maximum amount of \$100 a day, where the victim has to temporarily leave work to receive medical or paramedical care or to undergo an examination by a health care professional at the request of the Société.”.

7. The following are substituted for Schedule I to the Regulation:

“**SCHEDULE I**

(ss. 1 and 4)

LIST OF INJURIES

The figure “1” indicates an injury for which the personal home assistance requirements must be evaluated in accordance with the criteria prescribed in Schedule I.1.

The figure “2” indicates an injury for which the expenses incurred for personal home assistance requirements are reimbursed in accordance with the terms and conditions prescribed in section 4 of this Regulation, subject to the cases specified in section 2.

The figure “3” indicates an injury that is not considered for the purposes of personal home assistance.

Region 1A: Arms and/or thorax (left side)

Region 1B: Arms and/or thorax (right side)

• **Amputations**

Amputation of a thumb	2
Amputation of finger(s) other than the thumb	2
Amputation of the arm or hand (excluding the isolated amputation of finger(s) or thumb)	1

• **Musculotendinous impairment**

Rotator cuff syndrome	2
Rupture of the rotator cuff	2
Tendinitis of the elbow	2
Tendinitis of the wrist or the hand	2

• **Burns**

First-degree burn to the trunk	3
Second-degree burn to the trunk	1
Deep second-degree burn to the trunk	1
Third-degree burn to the trunk	1
First-degree burn to an arm	3
Second-degree burn to an arm	1
Deep second-degree burn to an arm	1
Third-degree burn to an arm	1

• **Contusions where skin is not broken**

Contusion of the front chest wall	3
Arm contusion(s)	3
Breast contusion	3
Multiple contusions to the trunk	3

• **Complications**

Traumatic arthrotomy of the elbow	2
Peripheral vascular complications of the arm	2
Volkman’s ischemic contracture	2
Reflex sympathetic dystrophy of the arm	2
Pulmonary embolism	3
Exeresis of plate or screw	3
Pulmonary insufficiency	1
Pulmonary edema	1
Acute pericarditis	1
Compartmental syndrome of the arm	2
Paroxysmal tachycardia	1
Thoracotomy	2

• **Sprains**

Acromioclavicular sprain	2
Sprain of the chondrocostal articulation	2
Sprain of the chondrosternal articulation	2
Elbow sprain	2
Shoulder sprain	2
Wrist sprain	2
Thumb sprain	3

• **Fractures**

Thorax

Fracture of one or two ribs	2
Fracture of three or more ribs	2
Sternum fracture	2
Flail chest-type fracture	2

Arm

Scapula fracture	2
Clavicle fracture	2
Fracture of the carpus	2

Fracture of one or more metacarpals	2	• Superficial injuries	
Fracture of one or more phalanges of the fingers	2	Superficial injury to the arm	3
Fracture of the upper epiphysis of the humerus	2	Superficial injury to the trunk	3
Diaphyseal fracture of the humerus	2		
Inferior epiphyseal fracture of the humerus	2	• Nerve damage	
Superior epiphyseal fracture of the radius and/or ulna	2	Damage to the circumflex nerve	1
Diaphyseal fracture of the radius and/or ulna	2	Damage to the median nerve	1
Inferior epiphyseal fracture of the radius and/or ulna	2	Damage to the ulnar nerve	1
		Damage to the radial nerve	1
		Damage to the musculocutaneous nerve of the arm	1
		Damage to the cutaneous nerves of the arm	3
		Damage to the collateral palmar nerves (digital nerves)	1
		Damage to the brachial plexus	1
• Dislocations without fracture		Region 2A: Left leg	
Shoulder dislocation	2	Region 2B: Right leg	
Finger dislocation (one or more)	2		
Elbow dislocation	2		
Dislocation of the wrist	2		
Sternoclavicular or acromioclavicular dislocation	2		
• Wounds		• Amputations	
Abrasions to the arm	3	Amputation of toes	1
Deep abrasions to hand or elbow, with loss of substance	2	Amputation of the leg, excluding the isolated amputation of toe(s)	1
Traumatic arthrotomy of the arm	2		
Wound(s) to arm or shoulder	3	• Musculotendinous impairment	
Wound(s) to wrist, hand and/or fingers with damage to tendons	2	Tendinitis of the hip	2
Wound(s) to arm, excluding wrist and hand, with damage to tendons	2	Tendinitis of the knee	2
Wound(s) to the hand or elbow requiring a cast	2	Tendinitis of the ankle and/or foot	2
Wound of the front chest wall	3		
		• Impairment of menisci	
		Tear of one or more menisci of the knee	2
		Tear of a knee ligament	See knee sprain
• Internal chest injuries		• Burns	
Pulmonary contusion with or without pleural effusion	3	First-degree burn to a leg	3
Hemothorax	3	Second-degree burn to a leg	1
Pneumohemothorax	3	Deep second-degree burn to a leg	1
Pneumothorax	3	Third-degree burn to a leg	1
Acute myocardial infarction	1		
Trauma of the lung with penetrating chest wound	1	• Complications	
Trauma of the diaphragm	1	Arthrodesis of the leg	2
Trauma of another intrathoracic organ (bronchi, œsophagus, pleura or thymus)	1	Peripheral vascular complications of the leg	2
		Exeresis of plate or screw	3
		Reflex sympathetic dystrophy of the leg	2
		Compartmental syndrome of the leg	2
• Blood vessel damage		• Contusions where skin is not broken	
Damage to the thoracic aorta	See related injuries	Contusion(s) of the leg	3
Damage to the brachiocephalic artery or subclavicular artery	See related injuries		
Damage to the superior vena cava	See related injuries		
Damage to the brachio-cephalic vein or subclavicular vein	See related injuries		
Damage to the blood vessels in the arm (axillary, brachial, radial, cubital)	See related injuries	• Sprains	
Damage to pulmonary vessels (artery and/or vein)	See related injuries	Hip sprain	2
		Knee sprain	2
		Ankle sprain	2
		Foot sprain	2

• Fractures		Region 3A: Spinal column (fracture)	
Fracture of the acetabulum	2	Region 3B: Spinal column (hernia or sprain)	
Fracture of femoral neck	2	• Contusions	
Diaphyseal fracture of the femur	2	Contusion of the posterior wall of the trunk	3
Inferior epiphyseal fracture of the femur	2	• Sprains	
Fracture of the patella	2	Cervical or cervicothoracic sprain	
Superior epiphyseal fracture of the tibia and/or fibula	2	Cervical sprain without objective clinical sign (cervicalgia, WAD I)	3
Diaphyseal fracture of the tibia and/or fibula	2	Cervical sprain with musculoskeletal signs (WAD II)	2
Ankle fracture	2	Cervical sprain with neurological signs (WAD III)	2
Calcaneal fracture	2	Thoracic or thoracolumbar sprain	
Fracture of the talus	2	Thoracic or thoracolumbar sprain without objective clinical sign (dorsalgia)	3
Fractures of other bones of the tarsus and/or metatarsus	2	Thoracic or thoracolumbar sprain with musculoskeletal signs	2
Fracture of one or more phalanges of the toes	2	Thoracic or thoracolumbar sprain with neurological signs	2
• Dislocations without fracture		Lumbar or lumbosacral sprain	
Dislocation of the hip	2	Lumbar or lumbosacral sprain without objective clinical sign (lumbago)	3
Dislocation of the patella	2	Lumbar or lumbosacral sprain with musculoskeletal signs	2
Dislocation of the knee	2	Lumbar or lumbosacral sprain with neurological signs	2
Dislocation of the ankle	2	• Fractures	
Dislocation of the foot	2	Cervical spine	
• Wounds		Fracture of one or more cervical vertebrae without neurological lesion	2
Abrasions to the leg	3	Fracture of one or more cervical vertebrae with neurological lesion	1
Deep abrasions to the ankle or knee, with loss of substance	2	Thoracic spine	
Traumatic arthrotomy of the knee	2	Fracture of one or more thoracic vertebrae without neurological lesion	2
Traumatic arthrotomy of the ankle	2	Fracture of one or more thoracic vertebrae with neurological lesion	1
Wound(s) to the ankle or knee requiring a cast	See arthrotomy	Lumbar and sacral spine	
Leg wound(s), with damage to tendons	2	Fracture of one or more lumbar vertebrae without neurological lesion	2
Leg wound(s)	3	Fracture of one or more lumbar vertebrae with neurological lesion	1
• Nerve damage		Fracture of the sacrum and/or coccyx without neurological lesion	2
Damage to the sciatic nerve	1	Fracture of the sacrum and/or coccyx with neurological lesion	1
Damage to the crural nerve	1	• Dislocations without fracture	
Damage to the posterior tibial nerve	1	Dislocation of one cervical vertebra	2
Damage to the common fibular nerve	1	Dislocation of one thoracic and/or lumbar vertebra	2
Damage to the lumbosacral plexus	1		
Damage to the cutaneous nerves of the leg	3		
• Blood vessel damage			
Damage to the common and/or superficial femoral artery	See related injuries		
Damage to the femoral and/or saphenous veins	See related injuries		
Damage to popliteal blood vessels	See related injuries		
Damage to tibial blood vessels	See related injuries		
• Superficial injuries			
Superficial injury to a leg	3		

• Wounds		• Dislocations	
Wound to the posterior wall of the trunk	3	Dislocation in the pelvis	2
• Isolated injury to the spinal cord		• Wounds	
Spinal cord injury of the cervical spine		Wound of the front and/or side abdominal wall	3
without vertebral lesion	1	Wound of the external genital organs	3
Spinal cord injury of the thoracic spine		Wound of the perineum	3
without vertebral lesion	1	Vaginal wound	3
Spinal cord injury of the lumbar spine		• Injury to internal organs	
without vertebral lesion	1	of the abdomen and pelvis	
Spinal cord injury to the sacral spine		Damage to the stomach	See laparotomy
without vertebral lesion	1	Damage to the small intestine	See laparotomy
Cauda equina injury without vertebral lesion	1	Damage to the large intestine	
• Damage to the roots and rachidian plexus		and/or rectum	See laparotomy
Damage to one or more cervical roots	1	Damage to the pancreas	See laparotomy
Damage to one or more thoracic roots	1	Damage to the liver	See laparotomy
Damage to one or more lumbar roots	1	Damage to the spleen	See laparotomy
Damage to one or more sacral roots	1	Damage to the kidney	See laparotomy
• Other impairments of the spine		Damage to the bladder and/or	
Herniated cervical disc	2	the urethra	See laparotomy
Herniated thoracic, lumbar or		Damage to the urethra	See laparotomy
lumbosacral disc	2	Damage to internal genital organs	See laparotomy
Acquired spondylolisthesis	See lumbar sprain	Damage to other intra-abdominal	
	Type I, II or III	organs (gall bladder, cystic ducts,	
		peritoneum, adrenal gland)	3
Region 4: Pelvis, abdomen and pelvic structures		• Abdominal wall, inguinal	
• Amputations		or femoral trauma	
Amputation of the penis	2	Inguinal or femoral hernia	See laparotomy
Amputation of the testicles, including rupture	2	Incisional hernia	See laparotomy
		Epigastric or umbilical hernia	See laparotomy
• Complications		• Blood vessel damage	
Premature delivery or miscarriage	1	Damage to the abdominal aorta	See laparotomy
Pregnancy complications	1	Damage to the inferior vena cava	See laparotomy
Laparotomy	2	Damage to the celiac trunk and/or	
• Contusions where skin is not broken		mesenteric arteries	See laparotomy
Wound of the abdominal wall	3	Damage to the portal vein and/or	
Wound of genital organs	3	splenic vein	See laparotomy
• Foreign bodies		Damage to renal blood vessels	See laparotomy
Foreign body in the digestive apparatus	3	Damage to iliac blood vessels	See laparotomy
• Sprains		Region 5: Head, neck, face	
Thoracic or thoracolumbar sprain	See spinal column	• Impairment of the eye and of its adjacent	
Sacroiliac sprain	2	structures	
Pelvic sprain (pubic symphysis)	2	Eyelid tear with impairment of the lacrimal ducts	3
• Fractures		Eyelid or periocular tear without impairment	
Fracture of the pubis	2	of the lacrimal ducts	3
Fracture of the ilium and/or ischium	2	Choroidal and/or retinal detachment	3
Multiple fractures of the pelvis	2	Traumatic enucleation	2
		Hemorrhage of the iris or ciliary body	2
		Vitreous hemorrhage	2
		Hemorrhage and rupture of the choroid	2
		Retinal or preretinal hemorrhage	2

Subconjunctival hemorrhage	2	Fracture of the orbital floor or lower orbital wall	1
Perforation of the eyeball	2	Fracture of the larynx and/or trachea	1
Trauma to the eyeball	2	Fracture of the palate and/or tooth sockets	3
Orbital wound	2	Fracture of the orbit (excluding fractures of the upper wall or orbital floor)	3
• Burns		Fracture of base without intracranial trauma	1
Burn to the cornea or conjunctival sac	2	Fracture of base with intracranial trauma	1
First-degree burn to the head and/or neck	3	Fracture of calvarium without intracranial trauma	1
Second-degree burn to the head and/or neck	1	Fracture of calvarium with intracranial trauma	1
Deep second-degree burn to the head and/or neck	1	• Dislocations	
Third-degree burn to the head and/or neck	1	Temporo-maxillary dislocation	3
Burn to the mucous membrane of the mouth and/or pharynx	3	• Wounds	
Internal burn to the larynx, trachea and/or lung	See burns to the head or neck	Facial wound	3
Unspecified burn to the eye and its adjacent structures	See burns to the head or neck	Thyroid gland wound	See related wounds
Burn to the eyelid and/or periocular region	See burns to the head or neck	Head wound, excluding face	3
• Complications		Outer ear injury	3
Stroke	1	Injury of the internal parts of the mouth, including the tongue	3
Cerebral embolism	1	Neck wound	3
• Contusions		Laryngeal and/or tracheal wound	See related wounds
Contusion of the face, scalp and/or neck	3	Pharyngeal wound	See related wounds
Contusion of the eyelid and/or the periocular region	3	Wound of the tympanum and/or eustachian tube	See related wounds
Contusion of orbital tissue	2	• Intracranial trauma not associated with a skull fracture	
Contusion of the eyeball	2	Concussion	
• Foreign bodies		Mild craniocerebral trauma (loss of consciousness for less than 30 minutes and/or Glasgow Coma score of 13 or more and/or post-traumatic amnesia for less than 24 hours)	3
Foreign body in the mouth	3	Moderate or severe craniocerebral trauma	1
Foreign body in the cornea	3	Cerebral contusion or laceration	1
Foreign body in the ear	3	Intracranial hemorrhage	1
Foreign body in the conjunctival sac	2	Subarachnoid hemorrhage, extradural or subdural hematoma	1
• Sprains		Trauma to the labyrinth	1
Sprain (displacement) of the nasal septum cartilage	3	• Superficial trauma	
Maxillary sprain	3	Superficial trauma of the conjunctiva	3
• Fractures		Superficial trauma of the cornea	3
One or more broken teeth	3	Superficial injury to the face, neck and/or scalp	3
Fracture of bones of the nose	3	Damage to superficial nerves of head and/or neck	3
Mandible fracture	3	• Cranial nerve damage	
Fracture of the malar bone and/or maxilla	3	Damage to the common motor ocular nerves	1
LeFort I-type fracture	3	Damage to the abducens nerve	1
LeFort II-type fracture	2	Damage to the optic nerve and/or visual pathways	2
LeFort III-type fracture	2	Damage to the trochlear (pathetic) nerve	1

SCHEDULE I.1

(s. 2)

DETAILED EVALUATION OF PERSONAL HOME ASSISTANCE REQUIREMENTS

Each activity in the detailed table must be evaluated to determine the personal home assistance requirements:

No assistance required: the victim is capable of carrying out the activity alone, safely and effectively.

Partial assistance required: the victim is capable of safely and effectively carrying out alone a significant part of the activity, but requires the regular help of another person to carry out the activity completely.

Maximum assistance required: the victim is incapable of safely and effectively carrying out the activity alone and requires the help of another person during the entire activity or most of it. The assistance may be physical or verbal.

DETAILED EVALUATION CHART

Personal home assistance requirements	None	Partial	Maximum
Personal hygiene and care			
1. personal hygiene	0	5	9
2. dressing and undressing	0	3	6
3. eating	0	8	15
Bladder and intestinal elimination			
4. use of toilet	0	6	11
5. menstrual hygiene	0	0.3	0.6
6. use of disposable briefs	0	7	14
7. emptying of bladder into a bag attached to the skin	0	5	9
8. emptying of bladder by catheterism	0	14	27
9. emptying of bladder by a catheter à demeure	0	6	12
10. emptying of the bladder by urinary condom	0	7	15
11. emptying of the bladder by urinary condom and by tapping	0	11	21
12. emptying of the intestine into a bag attached to the skin	0	8	15

Personal home assistance requirements	None	Partial	Maximum
13. emptying of the intestine through the use of a suppository, an enema solution or anal stimulation	0	5	9
14. irrigation of the bladder	0	1	2
Health care			
15. taking of medication	0	2	3
16. tracheostomy maintenance and aspiration	0	8	15
17. clapping, thoracic pressure, postural drainage	0	2	4
18. skin care (prevention of pressure wounds)	0	2	3
19. home exercise program	0	2	3
20. other health care (in accordance with the method prescribed in the description of activities)	0	—	36
21. putting in place a prosthesis or an orthosis	0	2	3
22. maintenance of special equipment	0	1	2
Locomotion			
23. arising from bed and going to bed	0	3	6
24. use of available facilities at home	0	2	3
25. using a mode of transportation	0	1	2
26. use of patient lifting devices or transfers with two helpers	0	3	6
Household activities			
27. preparation of a light meal	0	5	9
28. preparation of a complex meal	0	4	7
29. daily housekeeping	0	3	6
30. weekly housecleaning	0	2	3
31. care of household linen and clothes	0	1	2
32. shopping and services	0	2	3
33. budget management	0	0.5	1
34. Leisure activities	0	12	30
35. Sleep	0	48	72
TOTAL SCORE	—	—	—

DESCRIPTION OF ACTIVITIES

Personal hygiene and care

1. personal hygiene means to wash every part of the body including hair; dental hygiene; transfer to bathtub or shower, grooming (shaving, applying makeup, combing hair; doing nails, hair removal). If the assistance requirements are for appearance purposes only, they must involve at least three activities to be rated "partial assistance;"

2. dressing and undressing means to dress and undress oneself, including outdoor clothing;

3. eating means to serve oneself a beverage, season and cut food, lift food to one's mouth. This includes feeding oneself using special equipment, such as a nasogastric tube or a tube used in a gastrostomy;

Bladder and intestinal elimination

4. use of toilet means to use a toilet or commode, a urinal or bedpan; wipe oneself, rearrange clothing and stand up. This activity is rated "no assistance" where a special device for bladder or intestinal elimination is used;

5. menstrual hygiene means to put a sanitary napkin, tampon or disposable brief in place and clean the genital region;

6. use of disposable briefs means to put on and remove the brief; ensure hygiene; put on clothing and transfer to bed if necessary. This activity is rated "no assistance" where another special device for bladder or intestinal elimination is used (activities 7 through 14) or if activity No. 4 "use of toilet" is rated;

7. emptying of bladder into a bag attached to the skin (ileac bladder) means to use (put in place and remove) and maintain the equipment, ensure hygiene; rearrange clothing;

8. emptying of bladder by catheterism means to use and maintain the equipment, ensure hygiene, rearrange clothing, perform transfers;

9. emptying of bladder by a catheter à demeure (and bag) means to use and maintain the equipment, ensure hygiene, rearrange clothing;

10. emptying of the bladder by urinary condom (and bag) means to use and maintain the equipment (including emptying the bag), ensure hygiene, rearrange clothing, perform transfers;

11. emptying of the bladder by urinary condom with tapping (and bag) means to use and maintain the equipment; tapping, ensure hygiene, rearrange clothing, perform transfers;

12. emptying of the intestine into a bag attached to the skin (colostomy, ileostomy) means to use and maintain the equipment; ensure hygiene, rearrange clothing;

13. emptying of the intestine with an enema solution, a suppository or anal stimulation means to use and maintain the equipment; ensure hygiene, put the disposable brief in place if necessary and rearrange clothing;

14. irrigation of the bladder means to use and maintain the equipment; ensure hygiene;

Health care

15. taking of medication means to prepare, ingest or apply medication (pills, ointments, drops, bandages, and injections). If the medication is associated with the accident, required assistance is rated whether or not it is a result of the accident. If the medication is not associated with the accident, required assistance is rated if it is a result of the accident;

16. tracheostomy maintenance and aspiration means to maintain the tracheostomy and withdraw secretions;

17. clapping, thoracic pressure, postural drainage means to apply the techniques of clearing the respiratory tract during infections. It is rated "maximum assistance" where the assistance is required more than three months a year;

18. skin care means to carry out daily skin care to prevent pressure-induced ulcerations; repositioning regularly during the day, regular skin examination. The required assistance to turn the person over at night will be evaluated in activity No. 35 "Sleep";

19. home exercise program means to carry out an exercise program prescribed and supervised by a health professional. The program's aim must be to treat injuries associated with the accident or maintain the person's state of health, and must present advantages over direct treatment by the health professional alone;

20. other health care means to provide medically prescribed health care other than that specifically provided for in the grid. Three points are attributed for every 15 minutes of assistance required per day. A maximum of 36 points (3 hours per day) may be attributed. If the other health care is associated with the accident, the required assistance, whether or not it is a result of the

accident, must be rated according to the grid. If the other health care is not associated with the accident, the required assistance must be a result of the accident in order to be rated according to the grid;

21. putting in place a prosthesis or an orthosis means to put on or take off a prosthesis or orthosis, including compressive clothing, splints or compensatory aids;

22. maintenance of special equipment means to clean and maintain special equipment such as a wheelchair, prosthesis, orthosis or compensatory aid. This excludes equipment for bladder and intestinal elimination with a special device. Where maximum assistance is required less than three times a week, it is rated as “partial assistance”;

Locomotion

23. arising from bed and going to bed means to get out of bed and to go to bed for the night;

24. use of available facilities at home means to move about inside the home; to enter and leave one’s home; to make use of the facilities other than those required for the activities provided for in the grid; to open and close the windows and doors; to make use of the furniture, to operate switches and use communication devices (telephone, radio, television);

25. using a mode of transportation means to get into a vehicle, to get out of it; put in and take out a wheelchair or walking assists if necessary. This excludes assistance required for health services associated with the accident;

26. use of patient lifting devices or transfers with two helpers means that it is necessary to use a lifting device or two helpers are required to perform transfers; where only one helper is required, it is evaluated in the “personal hygiene and care” section;

Household activities

27. preparation of a light meal means to plan and prepare two meals per day consisting of simple foods, reheated meals or those requiring little preparation. The activity usually corresponds to the preparation of breakfast and lunch;

28. preparation of a complex meal means to plan and prepare one meal per day requiring several steps in its preparation. The activity usually corresponds to the preparation of dinner;

29. daily housekeeping means to wash the dishes; to wipe the counters, the table and cooking surface; to clean the sink; to put things away; to sweep the floor; to make the bed;

30. weekly housecleaning means to wash the floors, bathroom appliances and electrical appliances; to dust; to vacuum; to take out the garbage. The activity includes the annual cleanup: to wash the windows, walls and ceilings; to clean the cupboards, closets, floors, carpets; to wash the curtains and clean the drapes;

31. care of household linen and clothes means to wash, dry, iron, fold and put away household linen and clothes;

Other activities

32. shopping and services means to plan and make purchases, including household items and clothing, shopping for groceries, at the drugstore, hardware store; to make appointments; to use public transit and services, including personal care (hairdresser, dentist, physician). This excludes activities related to health services associated with the accident;

33. budget management means to plan and carry out activities related to managing personal finances and supervising income and expenses. Managing the budget is considered to occur before shopping and using services;

34. eisure activities means the physical or verbal assistance required so that the health and safety of the victim and those close to him are not endangered while the victim is awake and not busy with the activities listed in the grid. Having no service would result in the deterioration of the victim’s physical or mental condition. This excludes other services by accompanying persons already provided for by the Société through other measures, such as an availability allowance or rehabilitation. This includes additional assistance, but not special assistance, that is required to do school work at home;

35. sleep means the physical or verbal assistance required so that the health and safety of the victim and those close to him are not endangered while the victim is asleep. Having no service would result in the deterioration of the victim’s physical or mental condition. Assistance required to turn the victim over at night is rated “partial assistance”.

SCHEDULE I.2

(s. 2)

— Adjustment of the detailed evaluation of personal home assistance requirements for victims under 16 years of age.

— Where the independence of a victim under 16 years of age is rated “none” or “limited” in accordance with the adjustment table, only the “no assistance” or “partial assistance” ratings may be attributed to the detailed evaluation table. However, the “partial assistance” rating is attributed to the detailed evaluation table if the assistance requirement is significantly greater than the usual parental assistance expected for a person of that age.

— Where the independence of a victim under 16 years of age is rated “total” in accordance with the adjustment table, the rating attributed to the assistance requirement is not adjusted.

— For household activities (activities 27 to 34), no assistance requirement is recognized for a victim under 12 years of age.

— The indication “N.A.” means no adjustment is applicable to this activity.

— An asterisk indicates that the adjustment is made only if the activity is associated with the automobile accident. If the activity is related to a condition prior to the accident, the adjustment is made according to the age at which independence would normally be acquired had the accident not occurred.

Description of the levels of independence

None: The contribution to the activity of the child under 16 years of age is slight. The parent must be present at all times, so that the activity is carried out safely and effectively.

Limited: The contribution to the activity of the child under 16 years of age is significant. The parent must, however, get involved regularly, either with verbal or physical assistance, so that the activity is carried out safely and effectively.

Total: The child under 16 years of age is able to carry out the activity safely and effectively. The parent does not have to get involved on a regular basis.

ADJUSTMENT TABLE

Independence of a child according to age (in years)	None (age)	Limited (age)	Total (age)
Personal hygiene and care			
1. personal hygiene	0 to 41/2	41/2 to 61/2	61/2 or +
2. dressing and undressing	0 to 2	2 to 6	6 or +
3. eating	0 to 2	2 to 6	6 or +
Bladder and intestinal elimination			
4. use of toilet	0 to 21/2	21/2 to 6	6 or +
5. menstrual hygiene	N.A.	N.A.	N.A.
6. use of disposable briefs	0 to 21/2*	21/2 to 6*	6 or +*
7. emptying of the bladder into a bag attached to the skin	0 to 21/2*	21/2 to 6*	6 or +*
8. emptying of the bladder by catheterism	0 to 21/2*	21/2 to 6*	6 or +*
9. emptying of the bladder by a catheter à demeure	0 to 21/2*	21/2 to 6*	6 or +*
10. emptying of the bladder by urinary condom	0 to 21/2*	21/2 to 6*	6 or +*
11. emptying of the bladder by urinary condom and by tapping	0 to 21/2*	21/2 to 6*	6 or +*
12. emptying of the intestine into a bag attached to the skin	0 to 21/2*	21/2 to 6*	6 or +*
13. emptying of the intestine through the use of a suppository, an enema solution or anal stimulation	0 to 21/2*	21/2 to 6*	6 or +*
14. irrigation of the bladder	0 to 21/2*	21/2 to 6*	6 or +*
Health care			
15. taking of medication	N.A.*	N.A.*	N.A.*
16. tracheostomy maintenance and aspiration	N.A.*	N.A.*	N.A.*
17. clapping, thoracic pressure, postural drainage	N.A.*	N.A.*	N.A.*
18. skin care (prevention of pressure wounds)	N.A.*	N.A.*	N.A.*

Independence of a child according to age (in years)	None (age)	Limited (age)	Total (age)
19. home exercise program	N.A.	N.A.	N.A.
20. other health care (in accordance with the method prescribed in the description of activities)	N.A.	N.A.	N.A.
21. putting in place a prosthesis or an orthosis	N.A.	N.A.	N.A.
22. maintenance of special equipment	N.A.	N.A.	N.A.
Locomotion	•	•	•
23. arising from bed and going to bed	0 to 2	2 to 7	7 or +
24. use of available facilities at home	0 to 7	7 to 12	12 or +
25. using a mode of transportation	0 to 2	2 to 7	7 or +
26. use of patient lifting devices or transfers with two helpers	N.A.	N.A.	N.A.
Household activities	•	•	•
27. preparation of a light meal	0 to 12	12 to 16	16 or +
28. preparation of a complex meal	0 to 12	12 to 16	16 or +
29. daily housekeeping	0 to 12	12 to 16	16 or +
30. weekly housecleaning	0 to 12	12 to 16	16 or +
31. care of household linen and clothes	0 to 12	12 to 16	16 or +
32. shopping and services	0 to 12	12 to 16	16 or +
33. budget management	0 to 12	12 to 16	16 or +
34. Leisure activities	0 to 12	12 to 16	16 or +
35. Sleep	0 to 12	12 to 16	16 or +

SCHEDULE I.3

(s. 4)

TABLE

Where injuries were sustained in more than one anatomical region for which personal home assistance expenses were reimbursed in accordance with section 4 of

this Regulation, the selection priority for a maximum of three anatomical regions is determined in the following order:

- (1) arms and/or thorax (regions 1A and 1B);
- (2) legs (regions 2A and 2B);
- (3) spinal column (fracture) (region 3A);
- (4) pelvis, abdomen, pelvic structures (region 4);
- (5) spinal column (hernia or sprain) (region 3B);
- (6) head, neck, face (region 5).

Region	Region	Region	%
arms and/or thorax-one side injured			17 %
arms and/or thorax-both sides injured			44 %
arms and/or thorax-one side injured	leg one leg injured		31 %
arms and/or thorax-one side injured	leg both legs injured		44 %
arms and/or thorax-both sides injured	leg one leg injured		44 %
arms and/or thorax-both sides injured	leg both legs injured		44 %
arms and/or thorax-one side injured	leg one leg injured	spinal column (fracture)	38 %
arms and/or thorax-one side injured	leg both legs injured	spinal column (fracture)	44 %
arms and/or thorax-both sides injured	leg one leg injured	spinal column (fracture)	44 %
arms and/or thorax-both sides injured	leg both legs injured	spinal column (fracture)	44 %
arms and/or thorax-one side injured	leg one leg injured	pelvis, abdomen, pelvic structures	38 %
arms and/or thorax-one side injured	leg both legs injured	pelvis, abdomen, pelvic structures	44 %
arms and/or thorax-both sides injured	leg one leg injured	pelvis, abdomen, pelvic structures	44 %
arms and/or thorax-both sides injured	leg both legs injured	pelvis, abdomen, pelvic structures	44 %
arms and/or thorax-one side injured	leg one leg injured	spinal column (hernia and/or sprain)	31 %
arms and/or thorax-one side injured	leg both legs injured	spinal column (hernia and/or sprain)	44 %
arms and/or thorax-both sides injured	leg one leg injured	spinal column (hernia and/or sprain)	44 %

Region	Region	Region	%
arms and/or thorax-both sides injured	leg both legs injured	spinal column (hernia and/or sprain)	44 %
arms and/or thorax-one side injured	leg one leg injured	head, neck, face	31 %
arms and/or thorax-one side injured	leg both legs injured	head, neck, face	44 %
arms and/or thorax-both sides injured	leg one leg injured	head, neck, face	44 %
arms and/or thorax-both sides injured	leg both legs injured	head, neck, face	44 %
arms and/or thorax-one side injured	spinal column (fracture)		24 %
arms and/or thorax-both sides injured	spinal column (fracture)		44 %
arms and/or thorax-one side injured	spinal column (fracture)	pelvis, abdomen, pelvic structures	31 %
arms and/or thorax-both sides injured	spinal column (fracture)	pelvis, abdomen, pelvic structures	44 %
arms and/or thorax-one side injured	spinal column (fracture)	spinal column (hernia and/or sprain)	24 %
arms and/or thorax-both sides injured	spinal column (fracture)	spinal column (hernia and/or sprain)	44 %
arms and/or thorax-one side injured	spinal column (fracture)	head, neck, face	24 %
arms and/or thorax-both sides injured	spinal column (fracture)	head, neck, face	44 %
arms and/or thorax-one side injured	pelvis, abdomen, pelvic structures		31 %
arms and/or thorax-both sides injured	pelvis, abdomen, pelvic structures		44 %
arms and/or thorax-one side injured	pelvis, abdomen, pelvic structures	spinal column (hernia and/or sprain)	31 %
arms and/or thorax-both sides injured	pelvis, abdomen, pelvic structures	spinal column (hernia and/or sprain)	44 %
arms and/or thorax-one side injured	pelvis, abdomen, pelvic structures	head, neck, face	31 %
arms and/or thorax-both sides injured	pelvis, abdomen, pelvic structures	head, neck, face	44 %
arms and/or thorax-one side injured	spinal column (hernia and/or sprain)		24 %

Region	Region	Region	%
arms and/or thorax-both sides injured	spinal column (hernia and/or sprain)		44 %
arms and/or thorax-one side injured	spinal column (hernia and/or sprain)	head, neck, face	24 %
arms and/or thorax-both sides injured	spinal column (hernia and/or sprain)	head, neck, face	44 %
arms and/or thorax-one side injured	head, neck, face		24 %
arms and/or thorax-both sides injured	head, neck, face		44 %
Region	Region	Region	%
leg one leg injured			17 %
leg both legs injured			31 %
leg one leg injured	spinal column (fracture)		24 %
leg both legs injured	spinal column (fracture)		31 %
leg both legs injured	spinal column (fracture)	pelvis, abdomen, pelvic structures	24 %
leg one leg injured	spinal column (fracture)	pelvis, abdomen, pelvic structures	31 %
leg one leg injured	spinal column (fracture)	spinal column (hernia and/or sprain)	24 %
leg both legs injured	spinal column (fracture)	spinal column (hernia and/or sprain)	31 %
leg one leg injured	spinal column (fracture)	head, neck, face	24 %
leg both legs injured	spinal column (fracture)	head, neck, face	31 %
leg one leg injured	pelvis, abdomen, pelvic structures		24 %
leg both legs injured	pelvis, abdomen, pelvic structures		31 %
leg one leg injured	pelvis, abdomen, pelvic structures	spinal column (hernia and/or sprain)	24 %
leg both legs injured	pelvis, abdomen, pelvic structures	spinal column (hernia and/or sprain)	31 %
leg one leg injured	pelvis, abdomen, pelvic structures	head, neck, face	24 %

Region	Region	Region	%
leg both legs injured	pelvis, abdomen, pelvic structures	head, neck, face	31 %
leg one leg injured	spinal column (hernia and/or sprain)		24 %
leg both legs injured	spinal column (hernia and/or sprain)		31 %
leg one leg injured	spinal column (hernia and/or sprain)	head, neck, face	24 %
leg both legs injured	spinal column (hernia and/or sprain)	head, neck, face	31 %
leg one leg injured	head, neck, face		17 %
leg both legs injured	head, neck, face		31 %

Region	Region	Region	%
spinal column (fracture)			24 %
spinal column (fracture)	pelvis, abdomen, pelvic structures		24 %
spinal column (fracture)	pelvis, abdomen, pelvic structures	spinal column (hernia and/or sprain)	24 %
spinal column (fracture)	pelvis, abdomen, pelvic structures	head, neck, face	24 %
spinal column (fracture)	spinal column (hernia and/or sprain)		24 %
spinal column (fracture)	spinal column (hernia and/or sprain)	head, neck, face	24 %
spinal column (fracture)	head, neck, face		24 %

Region	Region	Region	%
pelvis, abdomen, pelvic structures			24 %
pelvis, abdomen, pelvic structures	spinal column (hernia and/or sprain)		24 %
pelvis, abdomen, pelvic structures	spinal column (hernia and/or sprain)	head, neck, face	24 %
pelvis, abdomen, pelvic structures	head, neck, face		24 %

Region	Region	Region	%
spinal column (hernia and/or sprain)			17 %
spinal column (hernia and/or sprain)	head, neck, face		24 %
head, neck, face			17 %.

8. The provisions of Chapter I of the Regulation respecting the reimbursement of certain expenses, enacted by section 1 of this Regulation, apply to victims of automobile accidents occurring from 1 January 2000 onward; the victims of accidents occurring before that date continue to be governed by the provisions of Chapter I of the Regulation as they read on 31 December 1999.

9. This regulation comes into force on 1 January 2000.

3087

Draft Regulation

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

Compensation under Chapter II of Title IV of the Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting compensation under Chapter II of Title IV of the Automobile Insurance Act, adopted by the Société de l'assurance automobile du Québec and whose text appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The draft Regulation prescribes the new requirements applicable to claims for compensation submitted by victims of automobile accidents for bodily injury or property damage not covered by the Automobile Insurance Act or by an insurance contract, where the person responsible is insolvent or cannot be found.

Further information may be obtained by contacting Ms. Christiane Lévesque, at the Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-5-37, C.P. 19600, Québec, G1K 8J6 (tel. (418) 528-3470, fax: (418) 644-8075, E-mail: Christiane.Levesque@saaq.gouv.qc.ca).