

SCHEDULE 1**DIVISION III
STROLLERS****Device**

	Price
Strollers “Buggy Major”- type including FOOTRESTS	
1 year and 2 years*	460.00
3 years and over	460.00

Available accessories

seat, intermediate support	47.50
rigid seat	46.00
rigid back	46.00
harness	58.00

WARRANTY PERIOD: 12 months

Device

Other strollers	S.C.
3254	

Gouvernement du Québec

O.C. 1332-99, 1 December 1999Automobile Insurance Act
(R.S.Q., c. A-25)**Reimbursement of certain expenses
— Amendments**

Regulation to amend the Regulation respecting the reimbursement of certain expenses

WHEREAS under paragraph 18 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), as replaced by paragraph 2 of section 38 of Chapter 22 of the Statutes of 1999, the Société de l'assurance automobile du Québec may, by regulation, prescribe conditions and a computation method for the determination of personal home assistance needs and the amount to be reimbursed and prescribe the cases in which and the conditions subject to which the Société may replace the reimbursement of expenses by an equivalent weekly allowance;

WHEREAS the Société de l'assurance automobile du Québec adopted the Regulation to amend the Regulation respecting the reimbursement of certain expenses;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Regulation respecting the reimbursement of certain expenses was published in Part 2 of the *Gazette officielle du Québec* of 15 September 1999 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the reimbursement of certain expenses, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

**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:

* 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 765-96 dated 19 June 1996 (1996, *G.O.* 2, 2883). For previous amendments refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

(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:

$$\frac{\text{Total number of points}}{174} \times \text{maximum amount prescribed in section 79 of the Act}$$

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.

The maximum daily amount of reimbursement for which a victim may qualify is equal to one-seventh of the amount calculated on a weekly basis.

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. The maximum daily amount of reimbursement for which a victim may qualify is equal to one-seventh of the amount calculated on a weekly basis.

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 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.

In cases where an injury is not listed, a similar injury of equivalent severity shall be considered.

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

Peripheral vascular complications of the arm	2
Volkman’s ischemic contracture	2
Reflex sympathetic dystrophy of the arm	2

Pulmonary embolism	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	2

• 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
Fracture of one or more phalanges of the fingers	2
Fracture of the upper epiphysis of the humerus	2
Diaphyseal fracture of the humerus	2
Inferior epiphyseal fracture of the humerus	2
Superior epiphyseal fracture of the radius or ulna	2
Diaphyseal fracture of the radius or ulna	2
Inferior epiphyseal fracture of the radius or ulna	2

• Dislocations without fracture

Shoulder dislocation including acromioclavicular dislocation	2
Finger dislocation (one or more)	2
Elbow dislocation	2
Dislocation of the wrist	2
Sternoclavicular	2

• Wounds

Traumatic arthrotomy of the arm	2
Wound(s) to arm	3
Wound(s) to wrist, hand or fingers with damage to tendons	2
Wound(s) to arm, excluding wrist and hand, with damage to tendons	2
Wound(s) to the hand or elbow requiring a cast	2
Wound of the front chest wall	3

• **Internal chest injuries**

Pulmonary contusion with or without pleural effusion	3
Hemothorax	3
Pneumohemothorax	3
Pneumothorax	3
Acute myocardial infarction	1
Trauma of the lung with penetrating chest wound	1
Trauma of the diaphragm	1
Trauma of another intrathoracic organ (bronchi, œsophagus, pleura or thymus)	1

• **Blood vessel damage**

Damage to the thoracic aorta	See related injuries
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
Damage to pulmonary vessels (artery and/or vein)	See related injuries

• **Superficial injuries**

Superficial injury to the arm	3
Superficial injury to the trunk	3

• **Nerve damage**

Damage to the circumflex nerve	1
Damage to the median nerve	1
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

Region 2A: Left leg

Region 2B: Right leg

• **Amputations**

Amputation of toes	1
Amputation of the leg, excluding the isolated amputation of toe(s)	1

• **Musculotendinous impairment**

Tendinitis of the hip	2
Tendinitis of the knee	2
Tendinitis of the ankle and/or foot	2

• **Impairment of menisci**

Tear of one or more menisci of the knee	2
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• **Burns**

First-degree burn to a leg	3
Second-degree burn to a leg	1
Deep second-degree burn to a leg	1
Third-degree burn to a leg	1

• **Complications**

Peripheral vascular complications of the leg	2
Reflex sympathetic dystrophy of the leg	2
Compartmental syndrome of the leg	2

• **Contusions where skin is not broken**

Contusion(s) of the leg	3
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• **Sprains**

Hip sprain	2
Knee sprain	2
Ankle sprain	2
Foot sprain	2

• **Fractures**

Fracture of the acetabulum	2
Fracture of femoral neck	2
Diaphyseal fracture of the femur	2
Inferior epiphyseal fracture of the femur	2
Fracture of the patella	2
Superior epiphyseal fracture of the tibia and/or fibula	2
Diaphyseal fracture of the tibia and/or fibula	2
Ankle fracture	2
Calcaneal fracture	2
Fracture of the talus	2
Fractures of other bones of the tarsus and/or metatarsus	2
Fracture of one or more phalanges of the toes	2

• **Dislocations without fracture**

Dislocation of the hip	2
Dislocation of the patella	2
Dislocation of the knee	2
Dislocation of the ankle	2
Dislocation of the foot	2

• **Wounds**

Traumatic arthrotomy of the knee	2
Traumatic arthrotomy of the ankle	2
Wound(s) to the ankle or knee requiring a cast	2
Leg wound(s), with damage to tendons	2
Leg wound(s)	3

• **Nerve damage**

Damage to the sciatic nerve	1
Damage to the crural nerve	1
Damage to the posterior tibial nerve	1
Damage to the common fibular nerve	1
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
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Region 3A: Spinal column (fracture or dislocation)
Region 3B: Spinal column (hernia or sprain)

- **Contusions**

Contusion of the posterior wall of the trunk		3
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- **Sprains**

Cervical or cervicothoracic sprain		
Cervical sprain without objective clinical sign (cervicalgia, WAD I)		3
Cervical sprain with musculoskeletal signs (WAD II)		2
Cervical sprain with neurological signs (WAD III)		2
Thoracic or thoracolumbar sprain		
Thoracic or thoracolumbar sprain without objective clinical sign (dorsalgia)		3
Thoracic or thoracolumbar sprain with musculoskeletal signs		2
Thoracic or thoracolumbar sprain with neurological signs		2
Lumbar or lumbosacral sprain		
Lumbar or lumbosacral sprain without objective clinical sign (lumbago)		3
Lumbar or lumbosacral sprain with musculoskeletal signs		2
Lumbar or lumbosacral sprain with neurological signs		2
Sacral sprain		2
Coccygeal sprain		2

- **Fractures**

Cervical spine		
Fracture of one or more cervical vertebrae without neurological lesion		2
Fracture of one or more cervical vertebrae with neurological lesion		1
Thoracic spine		
Fracture of one or more thoracic vertebrae without neurological lesion		2
Fracture of one or more thoracic vertebrae with neurological lesion		1

Lumbar and sacral spine

Fracture of one or more lumbar vertebrae without neurological lesion		2
Fracture of one or more lumbar vertebrae with neurological lesion		1
Fracture of the sacrum and/or coccyx without neurological lesion		2
Fracture of the sacrum and/or coccyx with neurological lesion		1

- **Dislocations without fracture**

Dislocation of one cervical vertebra		2
Dislocation of one thoracic and/or lumbar vertebra		2

- **Wounds**

Wound to the posterior wall of the trunk		3
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- **Isolated injury to the spinal cord**

Spinal cord injury of the cervical spine without vertebral lesion		1
Spinal cord injury of the thoracic spine without vertebral lesion		1
Spinal cord injury of the lumbar spine without vertebral lesion		1
Spinal cord injury to the sacral spine without vertebral lesion		1
Cauda equina injury without vertebral lesion		1

- **Damage to the roots and rachidian plexus**

Damage to one or more cervical roots		1
Damage to one or more thoracic roots		1
Damage to one or more lumbar roots		1
Damage to one or more sacral roots		1

- **Other impairments of the spine**

Herniated cervical disc		2
Herniated thoracic, lumbar or lumbosacral disc		2
Acquired spondylolisthesis		2

Region 4: Pelvis, abdomen and pelvic structures

- **Amputations**

Amputation of the penis		2
Amputation of the testicles, including rupture		2

- **Complications**

Premature delivery or miscarriage		1
Pregnancy complications		1
Laparotomy		2

- **Contusions where skin is not broken**

Wound of the abdominal wall		3
Wound of genital organs		3

<ul style="list-style-type: none"> • Foreign bodies 					
Foreign body in the digestive apparatus	3			Choroidal or retinal detachment	2
<ul style="list-style-type: none"> • Sprains 				Traumatic enucleation	2
Thoracic or thoracolumbar sprain	See spinal column			Hemorrhage of the iris or ciliary body	2
Sacroiliac sprain	2			Vitreous hemorrhage	2
Pelvic sprain (pubic symphysis)	2			Hemorrhage and rupture of the choroid	2
<ul style="list-style-type: none"> • Fractures 				Retinal or preretinal hemorrhage	2
Fracture of the pubis	2			Subconjunctival hemorrhage	3
Fracture of the ilium and/or ischium	2			Perforation of the eyeball	2
Multiple fractures of the pelvis	2			Trauma to the eyeball	2
<ul style="list-style-type: none"> • Dislocations 				Orbital wound	2
Dislocation in the pelvis	2			<ul style="list-style-type: none"> • Burns 	
<ul style="list-style-type: none"> • Wounds 				Burn to the cornea or conjunctival sac	2
Wound of the front or side abdominal wall	3			First-degree burn to the head or neck	3
Wound of the external genital organs	3			Second-degree burn to the head or neck	1
Wound of the perineum	3			Deep second-degree burn to the head or neck	1
Vaginal wound	3			Third-degree burn to the head or neck	1
<ul style="list-style-type: none"> • Injury to internal organs of the abdomen and pelvis 				Burn to the mucous membrane of the mouth and pharynx	3
Damage to the stomach	See laparotomy			Internal burn to the larynx, trachea or lung	See burns to the head or neck
Damage to the small intestine	See laparotomy			Unspecified burn to the eye and its adjacent structures	See burns to the head or neck
Damage to the large intestine and/or rectum	See laparotomy			Burn to the eyelid and/or periocular region	See burns to the head or neck
Damage to the pancreas	See laparotomy			<ul style="list-style-type: none"> • Complications 	
Damage to the liver	See laparotomy			Stroke	1
Damage to the spleen	See laparotomy			Cerebral embolism	1
Damage to the kidney	See laparotomy			<ul style="list-style-type: none"> • Contusions 	
Damage to the bladder and/or the urethra	See laparotomy			Contusion of the face, scalp and/or neck	3
Damage to the urethra	See laparotomy			Contusion of the eyelid and/or the periocular region	3
Damage to internal genital organs	See laparotomy			Contusion of orbital tissue	2
Damage to other intra-abdominal organs (gall bladder, cystic ducts, peritoneum, adrenal gland)	3			Contusion of the eyeball	2
<ul style="list-style-type: none"> • Abdominal wall, inguinal or femoral trauma 				<ul style="list-style-type: none"> • Foreign bodies 	
Inguinal or femoral hernia	See laparotomy			Foreign body in the mouth	3
Epigastric or umbilical hernia	See laparotomy			Foreign body in the cornea	3
<ul style="list-style-type: none"> • Blood vessel damage 				Foreign body in the ear	3
Damage to the abdominal aorta	See laparotomy			Foreign body in the conjunctival sac	3
Damage to the inferior vena cava	See laparotomy			<ul style="list-style-type: none"> • Sprains 	
Damage to the celiac trunk and/or mesenteric arteries	See laparotomy			Sprain (displacement) of the nasal septum cartilage	3
Damage to the portal vein and/or splenic vein	See laparotomy			Maxillary sprain	3
Damage to renal blood vessels	See laparotomy			<ul style="list-style-type: none"> • Fractures 	
Damage to iliac blood vessels	See laparotomy			One or more broken teeth	3
Region 5: Head, neck, face					
<ul style="list-style-type: none"> • Impairment of the eye and of its adjacent structures 					
Eyelid tear with impairment of the lacrimal ducts	3			Fracture of bones of the nose	3
Eyelid or periocular tear without impairment of the lacrimal ducts	3			Mandible fracture	3
				Fracture of the malar bone and/or maxilla	3
				LeFort I-type fracture	3
				LeFort II-type fracture	2
				LeFort III-type fracture	2
				Fracture of the orbital floor or lower orbital wall	1
				Fracture of the larynx and/or trachea	1

Fracture of the palate and/or tooth sockets	3
Fracture of the orbit (excluding fractures of the upper wall or orbital floor)	3
Fracture of base without intracranial trauma	1
Fracture of base with intracranial trauma	1
Fracture of calvarium without intracranial trauma	1
Fracture of calvarium with intracranial trauma	1
• Dislocations	
Temporo-maxillary dislocation	3
• Wounds	
Facial wound	3
Thyroid gland wound	See related wounds
Head wound, excluding face	3
Outer ear injury	3
Injury of the internal parts of the mouth, including the tongue	3
Neck wound	3
Laryngeal and/or tracheal wound	See related wounds
Pharyngeal wound	See related wounds
Wound of the tympanum and/or eustachian tube	See related wounds
• Intracranial trauma not associated with a skull fracture	
Concussion	
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
Moderate or severe craniocerebral trauma	1
Cerebral contusion or laceration	1
Intracranial hemorrhage	1
Subarachnoid hemorrhage, extradural or subdural hematoma	1
Trauma to the labyrinth	1

• Superficial trauma	
Superficial trauma of the conjunctiva	3
Superficial trauma of the cornea	3
Superficial injury to the face, neck and/or scalp	3
Damage to superficial nerves of head and/or neck	3
• Cranial nerve damage	
Damage to the common motor ocular nerves	1
Damage to the abducens nerve	1
Damage to the optic nerve and/or visual pathways	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

Personal home assistance requirements	None	Partial	Maximum
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
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	—	6
Household activities			
27. preparation of a light meal	0	5	9
28. preparation of a complex meal	0	4	7

Personal home assistance requirements	None	Partial	Maximum
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;

(32) **shopping and services** means to plan and make purchases, including household items and clothing, shop-

ping for groceries, at the drugstore, hardware store; to make appointments; to use public transit and services, including personal care (hairstylist, 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;

Other activities

(34) leisure 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 33), 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 4 ¹ / ₂	4 ¹ / ₂ to 6 ¹ / ₂	6 ¹ / 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 2 ¹ / ₂	2 ¹ / ₂ to 6	6 or +
5. menstrual hygiene	N.A.	N.A.	N.A.
6. use of disposable briefs	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
7. emptying of the bladder into a bag attached to the skin	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
8. emptying of the bladder by catheterism	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
9. emptying of the bladder by a catheter à demeure	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
10. emptying of the bladder by urinary condom	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
11. emptying of the bladder by urinary condom and by tapping	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
12. emptying of the intestine into a bag attached to the skin	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
13. emptying of the intestine through the use of a suppository, an enema solution or anal stimulation	0 to 2 ¹ / ₂ *	2 ¹ / ₂ to 6*	6 or +*
14. irrigation of the bladder	0 to 2 ¹ / ₂ *	2 ¹ / 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.*
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 or thorax (regions 1A and 1B);
- (2) legs (regions 2A and 2B);
- (3) spinal column (fracture or dislocation) (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 or thorax- one side injured			17 %
arms or thorax- both sides injured			44 %
arms or thorax- one side injured	leg one leg injured		31 %
arms or thorax- one side injured	leg both legs injured		44 %
arms or thorax- both sides injured	leg one leg injured		44 %
arms or thorax- both sides injured	leg both legs injured		44 %
arms or thorax- one side injured	leg one leg injured	spinal column (fracture or dislocation)	38 %
arms or thorax- one side injured	leg both legs injured	spinal column (fracture or dislocation)	44 %
arms or thorax- both sides injured	leg one leg injured	spinal column (fracture or dislocation)	44 %
arms or thorax- both sides injured	leg both legs injured	spinal column (fracture or dislocation)	44 %
arms or thorax- one side injured	leg one leg injured	pelvis, abdomen, pelvic structures	38 %
arms or thorax- one side injured	leg both legs injured	pelvis, abdomen, pelvic structures	44 %
arms or thorax- both sides injured	leg one leg injured	pelvis, abdomen, pelvic structures	44 %
arms or thorax- both sides injured	leg both legs injured	pelvis, abdomen, pelvic structures	44 %
arms or thorax- one side injured	leg one leg injured	spinal column (hernia and/or sprain)	31 %
arms or thorax- one side injured	leg both legs injured	spinal column (hernia and/or sprain)	44 %
arms or thorax- both sides injured	leg one leg injured	spinal column (hernia or sprain)	44 %

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

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

Region	Region	Region	%
spinal column (fracture or dislocation)	spinal column (hernia or sprain)		24 %
spinal column (fracture or dislocation)	spinal column (hernia or sprain)	head, neck, face	24 %
spinal column (fracture or dislocation)	head, neck, face		24 %
Region	Region	Region	%
pelvis, abdomen, pelvic structures			24 %
pelvis, abdomen, pelvic structures	spinal column (hernia or sprain)		24 %
pelvis, abdomen, pelvic structures	spinal column (hernia or sprain)	head, neck, face	24 %
pelvis, abdomen, pelvic structures	head, neck, face		24 %
Region	Region	Region	%
spinal column (hernia or sprain)			17 %
spinal column (hernia and/or sprain)	head, neck, face		24 %
Region	Region	Region	%
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.

3259

Gouvernement du Québec

O.C. 1333-99, 1 December 1999

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

Lump-sum compensation for non-pecuniary damage

Regulation respecting lump-sum compensation for non-pecuniary damage

WHEREAS under paragraph 12 of section 195 of the Automobile Insurance Act (R.S.Q., c. A-25), as replaced by paragraph 1 of section 38 of chapter 22 of the Statutes of 1999, the Société de l'assurance automobile du Québec may, by regulation, determine the injuries, the