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Superintendent's Guideline No. 01/18: Attendant Care Hourly Rate Guideline

Introduction

This Guideline is issued pursuant to s. 268.3 of the Insurance Act and is incorporated by reference in subsection 19 (2) (a) of the Statutory Accident Benefits Schedule – Effective September 1, 2010 (SABS).

Purpose

This Guideline establishes the maximum hourly rates used to calculate the maximum monthly attendant care benefit in accordance with subsection 19 (2) (a) of the SABS.

The maximum hourly rates applicable to accidents occurring before April 14, 2018 continue unchanged. For example, the rates applicable to accidents occurring on or after January 1, 2018 and before April 14, 2018 are governed by Superintendent's Guideline No. 03/17. See the Financial Services Commission of Ontario website for previous Superintendent's Guidelines.

Insurers are not prohibited from paying above the maximum hourly rates established in this Guideline.

Collateral Benefits

In respect of any expense referenced in this Guideline, the amount which an insurer would otherwise be liable to pay is subject to reduction by that portion of the expense for which payment is reasonably available under any insurance plan or law or under any other plan or law.

Administration Fees

The hourly rates referred to in s. 19 (2) (a) of the SABS and this Guideline include all administration costs, overhead, and related costs, fees, expenses, charges and surcharges that have the result of increasing the maximum hourly rates. Insurers are not liable for any administration or any other charges or surcharges that have the result of increasing the effective hourly rate beyond what is payable under this Guideline.

Maximum Fees

The maximum hourly rates to be used with the Assessment of Attendant Care Needs (Form 1) to calculate the monthly attendant care benefit payable are set out below. Once a notice to the insured person has been issued pursuant to s. 42(3) or s. 42(13) of the SABS, insurers shall use the resulting monthly attendant care benefit amount to pay the benefit.

Attendant Care Costs	Maximum Hourly Rate
<p>Part 1: Hourly Rate A</p> <p>Level 1 Attendant Care is for routine personal care.</p>	\$14.90
<p>Part 2: Hourly Rate B</p> <p>Level 2 Attendant Care is for basic supervisory functions.</p>	\$14.00
<p>Part 3: Hourly Rate C</p> <p>Level 3 Attendant Care is for complex health/care and hygiene functions.</p>	\$21.11