

Your guide to Enhanced Accident Benefits



How this guide can help you

01 — Medical and personal expenses

You need to deal with medical treatment or personal and medical reimbursements.

02 — Income replacement benefit

You're off work for more than seven days because of your injuries.

03 — Caregiver expenses

You can no longer care for a child under 16 years of age or an adult dependant because of your injuries.

04 — Personal care assistance

You need help caring for yourself and performing basic household tasks.

05 — Impairment

You have a permanent impairment resulting from the crash.

06 — Rehabilitation

You need help returning to work or other activities.

07 — Serious and life-altering injuries

You have catastrophic injuries resulting from the crash.

08 — Disputes and restrictions

You'd like a benefit decision reviewed or want to know what circumstances might result in your benefits being reduced or suspended.

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Details of your claim

Date of crash:

Claim number(s):

Support and recovery specialist:

Telephone number:

Best time to call:

Email address:

Vehicle damage claim representative:

Telephone number:

Best time to call:

Email address:

How B.C. law defines Enhanced Care insurance coverage

Unlike other insurance policies that you may have bought from private companies, ICBC's Enhanced Accident Benefits are provided by B.C.'s public insurer and the majority of its terms and conditions are found in the laws of British Columbia.

The Insurance (Vehicle) Act, RSBC 1996 c. 231 and its regulations set out types of coverage and eligibility for benefits. We must follow the law when we respond to a claim from a person injured in a crash.

The Insurance (Vehicle) Act, RSBC 1996 c. 231 is Chapter 231 of the Revised Statutes of British Columbia (R.S.B.C.).

The three main regulations are:

- [Enhanced Accident Benefits Regulation](#)
- [Income Replacement and Retirement Benefits and Benefits for Students and Minors Regulation](#)
- [Permanent Impairment Regulation](#)

These reference materials are available in most public libraries or online at bclaws.gov.bc.ca.

This guide and the law

This guide describes the coverages and benefits available under Enhanced Accident Benefits.

If any differences arise over interpreting what this guide says and what the law says, the law applies.

Getting started with Enhanced Accident Benefits

This is your guide to the care and recovery benefits you can expect with Enhanced Care. Hopefully, it can answer many of the questions you might have.

You should have received an Enhanced Accident Benefits application form (CL22) by email from a claim representative. If not, you can [download](#) a copy from icbc.com.

You'll need to complete a copy of the form and return it as soon as possible by uploading it to our [online claims service](#).

You can also return it via:

Mail: PO Box 2121, STN Terminal
Vancouver, B.C.
V6B 0L6

Fax: 1-877-686-4222

If you still need help, please call your support and recovery specialist directly, or contact us at:

604-520-8222 (Lower Mainland)
1-800-910-4222 (toll-free)

Please note that:

All benefit amounts in this document are effective May 1, 2021 and are adjusted annually for inflation.

Section 01

Medical and personal expenses



Your coverage

ICBC Enhanced Accident Benefits cover medical expenses required as a result of a crash.

Enhanced Accident Benefits also reimburse you for certain expenses resulting from the crash, including travel costs associated with medical treatment. These expenses can only be reimbursed after you've filed a claim with us.



Key points

- We cover medical, personal and travel expenses related to your injury or injuries resulting from the crash.
- We pay medical practitioners, and many other healthcare providers directly in most cases. Most amounts covered are set in a fee schedule, established in Regulation.
- We pay or reimburse for medical treatment that contributes to your recovery and rehabilitation.
- We can reimburse your travel expenses to attend medical treatment.
- You should include legible copies of your original receipts when submitting a claim for medical and personal expenses. Do not include the original receipts as they cannot be returned. You can submit your receipts online at [icbc.com/claims](https://www.icbc.com/claims).

Please note that:

Any medical treatment unrelated to your injuries sustained in the crash is not covered.

Our goal is your recovery

We're here to help and support you and your medical healthcare team as they work to find treatments that will help your recovery. Your active participation in the rehabilitation program will also be a critical factor in your recovery.

We'll review your Enhanced Accident Benefits coverage for necessary or advisable medical treatment expenses using supporting medical evidence.

Medical expenses

B.C.'s Medical Services Plan provides primary healthcare coverage when you're injured in a crash. When you need additional treatment to fully recover, Enhanced Accident Benefits covers necessary healthcare and related expenses, and any necessary or advisable rehabilitation.

Medical treatments

Where necessary, you'll be eligible for the following types of treatment within the first 12 weeks immediately following a crash:

- Physiotherapy
- Chiropractic
- Registered massage therapy
- Kinesiology
- Clinical counselling
- Psychology
- Acupuncture

Please note that:

- Reimbursement for treatments cannot exceed the fee limits set out in regulation
- We may determine the number of sessions for any (or all) treatments
- After the first 12 weeks, you'll need to be able to demonstrate that any further treatments are necessary for your successful recovery, or will address a decline in your recovery

Dental treatment

Emergency dental work immediately after the crash does not require pre-authorization. However, if your injuries require additional dental treatments, you're covered as long as any work is pre-authorized.

Please note that:

- Dental coverage provided as part of your Enhanced Accident Benefits is secondary to any other dental coverage that you may have access to.

Check with your support and recovery specialist

Your support and recovery specialist can confirm whether a specific treatment is covered. If in doubt, please check with us before starting any treatment.

Medications and medical supplies

Enhanced Accident Benefits cover the costs of over-the-counter and prescription medications and medical supplies (such as bandages, ointments or dressings) that you require because of injuries sustained in the crash.

Talk to your support and recovery specialist about how to submit your receipts for reimbursement.

Medical device expenses

The costs of purchasing, renting, repairing, replacing, fitting or adjusting devices that are necessary and prescribed because of injuries sustained in the crash are also covered by Enhanced Accident Benefits.

Prosthesis and orthosis expenses covered include:

- Glasses and contact lenses
- Hair pieces
- Dentures and fixed prosthesis
- Prescribed shoes
- Prescribed appliances, medical equipment and clothing

Related expenses covered include:

- Telephone and TV provided by the hospital during your stay
- Establishing a guardian or trustee
- Clothing allowance relating to using a wheelchair / prosthetic / orthotic device

- Buying or renting any special medical equipment you may need

If the medical device or equipment wears out from normal use, your benefits will pay to repair or replace it. However, repair or replacement due to neglect, misuse or willful damage is not covered.

Enhanced Accident Benefits also cover the cost of repairing, replacing or adjusting a device that you had before the crash and that was damaged in the crash. This is a one-time replacement coverage.

Ambulance costs

Enhanced Accident Benefits cover the costs of transporting you by ambulance from the scene of the crash to the hospital.

The cost of any ambulance services because of injuries sustained in the crash is also covered when:

- The physician responsible for your treatment orders the ambulance service
- An emergency arises, requiring urgent transportation either by ground or air ambulance

Coverage for attending to someone who needs critical care

Enhanced Accident Benefits cover out-of-pocket expenses such as travel and accommodation for family members or friends visiting a close relative who has been hospitalized and is in critical condition because of a crash.

Section 01 — Medical and personal expenses

Expenses are covered up to \$4,974 for one person, or up to \$2,487 per person for two people.

The benefit applies if the injured person is:

- Receiving treatment in an intensive care unit (ICU)
- In need of surgery requiring general anesthetic
- In need of a high risk or life-threatening procedure
- Suffering from a life-threatening medical condition
- Under 16 and admitted into hospital with any injury

The attendance is intended to support:

- Authorizing treatment on behalf of the customer (e.g. parents attending to a minor)
- Helping to administer treatment
- Assisting the customer in deciding whether to undergo a surgery under general anesthesia or high-risk examination

Please note that:

- Enhanced Accident Benefits don't cover critical care expenses if they're covered by other benefit plans or other insurance
- This benefit may be provided on a discretionary basis for other reasons, including compassionate grounds

Claiming for attending to someone who is hospitalized and in critical condition

You must provide receipts for your expenses and they must be for one or more of the following:

- Transportation (including air travel and ride-sharing), parking and tolls
- Accommodation and meals

Travel expenses to and from treatment or medical appointments

Enhanced Accident Benefits cover the cost of your travel to and from necessary crash-related medical appointments and treatments.

These include:

- Travel and parking costs if you drive yourself, or a friend or family member drives you to a crash-related medical appointment. Please check with your support and recovery specialist for the current vehicle rate
- Bus or transit costs for travelling to a crash-related medical appointment
- Taxi or passenger vehicle for hire costs if you can't drive yourself to a crash-related medical appointment and bus or transit isn't available or appropriate. You'll need to receive pre-approval from your support and recovery specialist in order to be eligible for this reimbursement
- Air travel if required

Section 01 — Medical and personal expenses

- Meal and accommodation expense if required
- Travel and accommodation costs for someone to accompany you to medical appointments or treatment if your age or your mental or physical condition prevents you from going alone

Special equipment

Your medical health care team may recommend that you need special equipment to assist you with daily living or workplace tasks. Your support and recovery specialist will review these recommendations and determine your coverage for any reasonable expenses.

For example, they may recommend that you need a hospital-type bed or an orthopedic insert for your office chair. Depending on the situation, we'll either rent or purchase the equipment for you.

Recreational benefit

This benefit helps you – and a companion or assistant if required – to participate in recreational or leisure activities for which you now need extra support, or that incur extraordinary expenses.

This benefit is available for injuries resulting in a permanent impairment of 20 per cent or more. The amount of the benefit is determined by the percentage of impairment, ranging from \$500 up to a maximum amount of \$4000 every two years for catastrophic injuries.

Useful tips for medical and personal expense claims

If in doubt, always check with your support and recovery specialist before incurring any expenses.

You'll need to provide copies of receipts within 180 days for any claims that aren't billed directly, up to a specified limit.

Some expenses will need to be pre-authorized by your support and recovery specialist, including:

- Pharmacy medication
- Basic supplies or equipment
- Meal, accommodation and travel expenses if required

You can submit your receipts online at: icbc.com/claims.

Please note that:

We are unable to return original receipts.

Claiming from other benefits and insurance

The typical treatments that you might need after an injury are usually covered directly by ICBC. For most other benefits, such as medical equipment, pharmacy medication and income replacement, your other available insurance coverage will be the primary payer and you will need to submit your expenses there first.

Section 02

Income replacement benefit



Your coverage

If you have sustained injuries in a crash, you may be eligible for income replacement benefit, beginning on the eighth day after the crash, when the injury results in you being unable to continue your employment.

Enhanced Accident Benefits coverage is secondary to other wage loss benefits that you have available to you, such as an employer plan or Employment Insurance. You'll need to apply for those benefits first, and then your income replacement benefit calculation will take them into account.

Coverage is also available for minors, students, and people aged 65 or over if they were employed at the time of the crash.

Income replacement benefit covers you for 90 per cent of your net income in wage loss – up to a maximum yearly insurable income of \$100,000. For certain special cases, we also have an alternative formula. Your support and recovery specialist can advise as needed.

If you earn more than \$100,000, you can buy additional optional coverage to top up the amount of income replacement benefit provided through Enhanced Care. This also applies even if you already have private income replacement coverage.

Section 02

Income replacement benefit



Key points

- Income replacement benefit starts after we've received income information from your employer, or proof of income from you if you're self-employed.
- Income replacement benefit is based on the income you were earning before the crash, supported by past income tax returns, paystubs and information from your employer. Your expected earnings after the crash may also be considered.
- Once income replacement benefit payments begin, a cheque will be mailed or deposited directly into your bank account every 14 days until you're no longer eligible. Income replacement benefit stops when there's no medical reason preventing you from returning to work.
- Income replacement benefit is 90 per cent of your net income, based on a maximum yearly insurable income amount. As of May 1, 2021, this amount is \$100,000.

How we calculate your income replacement benefit

We need accurate and complete information from you to calculate your income replacement benefit. Here are the four steps we need to go through:

1. We determine your employment status

Your employment status is determined based on your employment situation at the time of the crash:

- Full-time earner
- Part-time earner
- Temporary earner
- Non-earner
- Minor
- Student

We also consider if you are unable to work due to a physical or mental condition caused by the crash. If you're not eligible for income replacement benefit, we won't progress beyond Step 1.

2. We establish your yearly gross income

Your yearly gross income is the total of yearly gross income from salaried employment and self-employment. We consider all of the employment income that you lost because of injuries sustained in the crash.

If you were not working at the time of the crash but had employment promised to you, we'll consider the lost earnings from that employment.

If you're a student and you're unable to continue working, then you'd be eligible for income replacement benefit.

2.1 Salaried employment

We include all these amounts as income from salaried employment:

Salary/Wages: The salary or wages received or receivable for the pay period in which the crash occurred, divided by the number of weeks in the pay period and then multiplied by 52.

Remuneration: Any of the following amounts if they are not received as a result of the crash:

- Any bonuses received or earned in the 52 weeks before the date of the crash.
- Tips, in the amount that is the greater of:
 - » The amount reported in the customer's personal income tax return for the calendar year before the year in which the crash occurred.
 - » The amount reported in the customer's personal income tax return for the calendar year in which the crash occurred.
- Remuneration for overtime hours that is not included as salary/wages above and that is received or earned in the 52 weeks before the date of the crash.
- The cash value from a profit-sharing plan allocation received or earned in the 52 weeks before the date of crash.

Section 02 – Income replacement benefit

- The value of the personal use of a motor vehicle provided by an employer at the time of the crash, in the amount reported in the customer's personal income tax return for the calendar year before the year in which the crash occurred or, where no such amount was reported, in an amount calculated under clause 6(1) (a) (income from employment) of the Income Tax Act (Canada) as an annualized benefit.
- The value of the employer's contribution to the customer's pension plan, if lost because of the crash.
- The cash value of any other benefit that the customer received, or was eligible to receive, in the 52 weeks before the date of the crash, if lost because of the crash.

Commissions: The commissions that the customer had earned, or that they were eligible for, based on the greatest of the following:

- In the 52 weeks before the date of the crash,
- In the calendar year before the date of the crash, or
- In the three calendar years before the date of the crash, divided by three

Please note that:

Income replacement benefit covers income that you lost because of injuries you sustained in the crash. For example, if your company continues to pay into your pension plan while you're off work, you won't receive income replacement benefit for that portion of your income.

2.2 Establishing your salaried employment income

We'll send a Certificate of Earnings form to your employer to determine your income replacement benefit. Please ask your employer to complete the form and return it to us as quickly as possible.

Your support and recovery specialist can help you if you're having trouble getting the necessary employment income information. We may also ask for other documents, such as your income tax return, to verify your employment income.

2.3 Self-employment

We consider you self-employed if you work for yourself. Independent contractors, sole proprietors and members of unincorporated partnerships are all considered types of self-employment.

If you work for your own incorporated company and are paid in profit dividends, you may still be considered to be self-employed. However, if you are paid a salary, you're not considered to be self-employed. You're an employee of your privately owned company.

Because self-employment income can vary greatly from year to year, your yearly gross income if you're a self-employed person is determined by multiple factors.

Your yearly gross income is the income from self-employment carried on at the time of the crash, less any expenses that relate to that income, and is the greatest amount of business income that you received or to which you were eligible for within the following periods of time:

- For the 52 weeks before the date of the crash.

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- For the 52 weeks before the fiscal year end immediately preceding the date of the crash.
- If you've operated the business for more than two fiscal years immediately before the date of the crash, then we take the 104 weeks before that fiscal year end and divide by two.
- If you've operated the business for more than three fiscal years immediately before the date of the crash, then we take the 156 weeks before that fiscal year end and divide by three.
- From a Canadian-controlled private corporation that was declared for income tax purposes in the calendar year prior to the crash.
- According to the classes of employment schedule.

2.4 Establishing your self-employment income

If your business is only a few months old, a statement listing income sources may be sufficient to establish your self-employment income.

But if your business has been operating for more than a few months, we'll need to see income tax returns, financial statements or tax assessments.

2.5 Other considerations

There are many details concerning the way we calculate yearly gross income such as shift premiums, periodic overtime, seasonal fluctuations in income, sick credits and vacation time.

Your support and recovery specialist can explain everything we'll need and how we factor it all in to your income replacement benefit calculation.

3. We calculate your net income

Your net income approximates your actual 'take home' pay before the crash.

Your net income is determined by considering your income tax situation and the contributions you make for Canada Pension Plan and Employment Insurance from your taxable income.

We'll use the information you supply to determine your net yearly income. We follow the income tax rules that applied during the year prior to the year in which we are making the calculations.

4. We calculate your income replacement benefit

Your income replacement benefit will be 90 per cent of your net income calculated in Step 3.

This amount will be paid to you every two weeks, until one of the following happens:

- You return to work
- Your income replacement benefit is adjusted for reasons discussed in other parts of this guide
- You become eligible for a retirement income benefit
- Your benefits are terminated because you fail to meet specific obligations or conditions as outlined in the regulations

Please note that:

Any amounts you get paid from other sources will be subtracted from your income replacement benefit.

For example, if you receive Employment Insurance benefits, employer disability benefits, private disability plans or a disability benefit from the Canada Pension Plan because of the crash, your income replacement benefit may be reduced accordingly.

Maximum yearly insurable amount

As of May 1, 2021, the maximum yearly gross income amount we use to calculate your income replacement benefit is \$100,000. You can purchase an optional top-up policy that provides increased coverage over the \$100,000 maximum.

WorkSafeBC payments

If you were working at the time of your crash you may be eligible for benefits from WorkSafeBC.

Your ICBC benefits will only apply if they provide a greater benefit than what you're eligible to receive from WorkSafeBC.

Coverage for minors

Enhanced Care defines children under the age of 19 as minors and provides them with income replacement benefit that includes:

- Income replacement benefit for any income the minor would have been earning but can't because of the injuries from the crash.
- A lump sum benefit for each school year the minor wasn't able to complete because of injuries sustained in the crash. This will be paid to coincide with the school year or term not completed. If a minor is unable to work at the end of their studies as a result of their injuries, they would then become eligible for income replacement benefit.

Minors are assessed for the loss of studies benefit based on their school grade:

- Kindergarten to Grade 8
- Grade 9 to Grade 12

School year definition

Also, for the purposes of Loss of Studies determination, a school year begins on July 1 and ends on June 30.

A lump sum benefit is payable when any injuries sustained in the crash prevent a minor from completing a school year.

The benefit becomes payable on July 1 for the loss of part or all of the preceding school year.

The benefit amounts are as follows:

- Kindergarten to Grade 8 = **\$5,693**
- Grade 9 to 12 = **\$10,550**

Section 02 – Income replacement benefit

A minor is eligible for the loss of studies benefits during the period they are unable, because of their injuries, to begin or continue studies. Eligibility ends on the day they were scheduled to complete their current studies at the time of the crash.

If a minor is still unable to work or begin or resume their studies because of injuries sustained in the crash, income replacement benefit begins based on the Industrial Average Wage for B.C. beginning on July 1 of the year in which they turn 19 years old. The Industrial Average Wage is set using Statistics Canada data for the earnings of all employees in B.C. As of May 1, 2021, this amount is \$54,910.72.

Coverage for students

We consider you to be a student if at the time of the crash, you're:

- Aged 19 or over and attending a secondary school or post-secondary educational institution on a full-time basis, or
- A minor who has graduated or completed the requirements for graduation from secondary school and is attending a post-secondary educational institution on a full-time basis

Enhanced Accident Benefits will pay you as follows:

- A lump sum benefit for each school year you aren't able to complete because of injuries sustained in the crash
- This benefit is pro-rated when you're unable to complete a term or semester

- Income replacement benefit for any income you would have been earning but are unable to because of injuries sustained in the crash

Students who miss a full year of secondary school because of injuries sustained in the crash receive a lump sum benefit up to a maximum amount of \$10,550 a year. For students who miss a year of post-secondary school, the amount is \$21,100.

If you have tuition that is not reimbursed and that amount is greater than the loss of studies amount, you will be eligible to have your tuition reimbursed.

If you miss one term of school, the lump sum is pro-rated. For example, if there are three terms in the student's secondary school year and the student misses one term, you'll receive one-third of the lump sum benefit.

If you lose a full school year, the lump sum benefit becomes payable on July 1, following the lost school year.

If you lose a term or semester of the school year, the lump sum benefit is paid at the end of that term or year.

Please note that:

These lump sum payments continue until the scheduled end date for your current level of studies.

For example, if you're currently in secondary school, the end date would be the end of secondary school. But if you're currently at a post-secondary educational institution, the end date would be the scheduled completion of your program.

Section 02 – Income replacement benefit

Please note that: (continued from p.18)

After the scheduled end of your studies, you'll receive income replacement benefit based on the Industrial Average Wage, which, as of May 1, 2021 is \$54,910.72. The amount may be adjusted depending on the type of your studies. There are adjustments for post-secondary studies, red-seal programs and post-graduate programs. These benefits will continue for as long as you are eligible.

Please note that:

We calculate the income replacement benefit for an employed person over 65 in the same way as other claimants.

However, your income replacement benefit ends:

- If you're able to work in the same capacity as before the crash
- On the first June 30 after you become eligible for retirement income benefit

Coverage for people aged 65 or older

If you're 65 or older, we assess you based on these three categories:

1. If you're not employed at the time of a crash, you're not eligible for income replacement benefit or the retirement income benefit.
2. If you are employed at the time of a crash, you are eligible for income replacement benefit if the injuries you sustained prevent you from working.
3. If you have been receiving income replacement benefit for a minimum of five years when you reach 65, you'll become eligible to receive retirement income benefit. You can find more information about this under **Retirement income benefit**, on p. 24 later in this section.

Who can receive income replacement benefit?

If you were employed at the time of the crash:

- Income replacement benefit begins eight days after the crash
- Enhanced Accident Benefits provide income replacement benefit if you were working on a full-time, part-time, or temporary basis and you cannot continue working because of your injuries

If you could have been working at the time of the crash, but weren't:

- Income replacement benefit begins 180 days after the crash. However, you're only eligible for income replacement benefit if you still can't work because of injuries sustained in the crash

Section 02 – Income replacement benefit

- If you can provide sufficient information to show you would have held employment during the first 180 days following the crash, you'll be eligible for income replacement benefit based on the time period in which you would have been working

You're not eligible for income replacement benefit if:

- You were intentionally not working at the time of the crash
- You were regularly incapable of holding employment before the crash for any reason with the exception of your age

The law distinguishes between full-time, part-time, temporary earners, non-earners, students and minors. If you're a part-time earner, temporary earner or non-earner, we will reassess your employment status if you are still unable to work 180 days after the crash.

Understanding your eligibility for income replacement benefit

Minor:

- Someone under 19 years of age at the time of the crash.

Student:

- A minor who had completed the requirements for graduation from secondary school and was attending a post-secondary educational institution on a full-time basis at the time of the crash
- Someone 19 and over who was attending school full-time at the time of the crash

(Special rules apply to minors and students. See the details earlier in this section)

Non-earner:

- Someone who was unemployed at the time of the crash but was able to work. However, if you weren't working for two years before the accident and wouldn't have worked in the future, you're not eligible as a non-earner

Part-time earner:

- Someone who had a regular, part-time job of less than 28 hours a week at the time of the crash

Full-time earner:

- For regular employment: someone who was employed with the same employer for more than one year, working at least 28 hours per week

For seasonal employment:

- » Someone who was employed with the same employer for not less than two years
- » Someone with no successive or intermittent work periods less than eight months in duration or with no breaks in employment greater than four months

Temporary earner:

- Someone who is an earner, but who is not a full-time or part-time earner

People 65 and older:

- Eligibility for people aged 65 and older is based on several factors. You can find more information about this under **Coverage for people aged 65 or older**, p. 19.

Section 02 – Income replacement benefit

In addition to income replacement benefit, if a person was working in a family business without pay, but now cannot work as a result of injuries sustained in a crash, we'll reimburse the expenses of hiring a replacement.

Income replacement benefit 181 days after the crash for part-time, temporary or non-earners

If you were a part-time or temporary worker or unemployed at the time of the crash and you still can't return to work after 180 days, we'll bring in an independent vocational rehabilitation consultant who will collaborate with you and your medical team. This process is called determining your employment.

Please note that:

- This doesn't apply to full-time earners, students or minors.

If you are also eligible for the caregiver weekly benefit, you'll need to choose which benefit you want to continue receiving:

- Caregiver benefit or,
- Income replacement benefit.

You can find more information about this under **Caregiver weekly benefits**, p.27.

Understanding the type of work that you were doing, or could have been doing, at the time of the crash will help us to calculate your income replacement benefit, and help you to get your career back on track.

To do this, we'll look at your:

- Education
- Training
- Work experience
- Physical abilities
- Intellectual abilities

This process is very important because:

- It establishes the type of work you're considered qualified to do when your injuries have improved, based on employment normally available where you live
- If we determine a higher-paying employment, your income replacement benefit will increase
- If we determine the employment which you held before the crash, your income replacement benefit will either stay the same or increase
- If you're capable of holding the employment which we determine for you, your benefit entitlement will end

Residual earning capacity two years after the crash

Sometimes, a crash causes injuries that prevent you from returning to exactly the same kind of full-time work you had before the crash.

Many people are still capable of working, but in a different type of job. The insurance industry refers to this as "residual earning capacity".

This means you can still earn income, although not necessarily in the same kind of job or at the same pay level as before the crash.

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Two years after the crash, if you're a full-time, part-time, temporary or non-earner, we'll work with you to help determine employment if:

- You're able to work
- You've recovered as much as you are likely to recover from injuries sustained in the crash
- You've explored viable employment rehabilitation options and can't return to either the kind of work you were doing at the time of the crash or the employment we determined for you 181 days after the crash

Please note that:

Determining employment 181 days after the crash does not apply to full-time earners, students or minors.

We'll look at the following criteria to help to determine the type of employment you're able to do two years or longer after the crash:

- Education
- Training
- Work experience
- Physical abilities as they are now (after the crash and recovery)
- Intellectual abilities as they are now (after the crash and recovery)
- Knowledge or skills acquired during a rehabilitation program (if applicable)

Your recommended area of focus will be full-time, unless you can only work part-time because of injuries sustained in the crash.

Your support and recovery specialist can advise further if necessary. It will also be based on employment normally available where you live.

We identify the type of employment that best matches your skills, training and post-crash abilities and capacity. We'll involve a vocational rehabilitation consultant as well as consider relevant medical information. When the assessment is complete, it's time to start exploring your employment options. We call this your Job Search Year.

Job Search Coverage

While you're looking for work, income replacement benefit continues as long as you're still eligible. If or when you get a job during the year, we'll reduce your income replacement benefit by 75 per cent of your net earnings from your new employment. This should mean that by returning to work, you'll be receiving more income overall.

After a year of job searching, there are three possibilities:

1. If you have work that pays the same or more than the income replacement benefit you've been receiving, your income replacement benefit will end.
2. If you return to work and you're unable to earn an income equal to what you were earning before the crash, your support and recovery specialist will need to share your income documentation with the benefit analyst team.

Section 02 – Income replacement benefit

They'll recalculate your income replacement benefit eligibility to reflect the new income, and your income replacement benefit will become the lesser of:

- Your previous income replacement benefit amount minus your determined employment net income, or
- Your previous income replacement benefit amount minus your new job net income.

This reduced income replacement benefit is payable until you're able to earn an amount equal to or greater than your pre-crash earnings or until you become eligible for the retirement income benefit. If this is the case, you may receive income replacement benefit that tops up your income.

3. If you're still looking for work and you're able to hold the employment we determined for you, your income replacement benefit will be reduced by the amount of income specified for that employment.

When does income replacement benefit end?

Income replacement benefit is a substitute for the majority of the income you'd be earning if the injuries you sustained in the crash hadn't made you unable to work.

Except for the most serious injuries, income replacement benefit is intended to be a temporary measure to compensate for your loss of income while you recover from the effects of the crash.

You're no longer eligible for income replacement benefit at certain times, including when:

- You become able to do the work you were doing at the time of the crash
- You become able to work in the type of employment that was determined for you 181 days after the crash
- You get a job that pays as much or more than the amount used to calculate the income replacement benefit paid to you at the start of your claim
- You become eligible for retirement income benefit

Please note that:

- If you're ready to return to work, but lost your employment as a result of your injuries, we can provide a temporary continuation of your income replacement benefit. Your support and recovery specialist can explain the details if required
- Special rules apply for employed people over 65 years of age at the time of the crash and for people who are receiving income replacement benefit when they turn 65
- Your eligibility for income replacement benefit is different if you're catastrophically injured

Gradually returning to work

Because it may not be possible for you to return to full-time work right away, your support and recovery specialist will work closely with your health care provider and employer about options to gradually return to work.

Recurring conditions caused by the crash

Occasionally, an injury that seems to have healed will flare up again. Income replacement benefit can resume if you have a relapse.

If you've returned to work when the injury flares up, it's important to identify the cause. You also need to contact your support and recovery specialist to explain what has happened. In most cases, income replacement benefit will resume immediately at the same level you were receiving before your return to work.

Useful tips for income replacement benefit claims

Here are some things you can do to help us with your claim for income replacement benefit:

- Ensure you provide us with all the information we need about what your employment income was at the time of the crash

- Respond to our requests for information as quickly as you can. We're unable to process regular income replacement benefit payments until we have all the required documents

If you're receiving income replacement benefit, you must:

- Inform us of any changes in your employment situation
- Inform us of any changes in the amount of other income benefits you are receiving
- Inform us when you are able to return to work

Retirement income benefit

If you're receiving income replacement benefit and reach retirement age, a retirement income benefit will be available. The retirement income benefit is based on 70 per cent of your net income, less any other pension income you receive, including Canada Pension Plan and Old Age Security payments.

If your pension income is more than 70 per cent of the net income used in our calculation, you won't receive the retirement income benefit.

If you're receiving retirement income benefit, you must:

- Inform us of any changes in your pension income
- Provide us with a certified copy of your income tax return every year so that we can verify any other pension income you may be receiving

Section 02 – Income replacement benefit

- If you're receiving income replacement benefit, you'll become eligible to receive retirement income benefit on the first July 1 following whichever comes later:
 - » Your 65th birthday
 - » The 5th anniversary of the day you became eligible to receive income replacement benefit

Please note that:

If your income replacement benefit eligibility ends before the date you become eligible for the retirement income benefit, you won't receive the retirement income benefit.

Section 03

Caregiver benefit



Your coverage

If you were a caregiver at the time of the crash, there are two types of coverages available, depending on what type of earner you were.



Key points

- If you're a full-time caregiver, you may be eligible for a caregiver weekly benefit.
- If you're a part-time caregiver, you may be eligible for a care expense reimbursements coverage.

Full-time caregivers

You're eligible for a caregiver weekly benefit when:

- Before the crash, your main occupation was caring on an unpaid basis for:
 - » A child or children under the age of 16
 - » A person who is regularly unable, for any reason, to hold employment
- You can no longer continue to provide this care because of your injuries

Please note that:

- When a child turns 16, coverage relating to that child ends, unless they require care because they are regularly unable to hold employment for any reason
- In order to determine the eligibility for somebody over 16 years of age who is regularly unable to work, we'll need to consider:
 - » Is the person unable to hold employment?
 - » How do the injuries sustained in the crash prevent you from providing this care?
- The benefit may increase or decrease if the status or number of the people you are responsible for changes

Caregiver weekly benefit (paid every two weeks)

Caregiver weekly benefit is paid bi-weekly and intended to be used to hire a replacement

caregiver. The goal of this benefit is to support unpaid caregivers who are involved in a crash. Here's how it works:

0-180 days after the crash:

Eligible part-time earners and non-earners may collect both income replacement and weekly caregiver benefits up until 180 days after the crash. The benefit will be adjusted if circumstances change, such as when a child turns 16.

181 or more days after the crash:

If your injuries continue to prevent you from caring for children under the age of 16 or people who are unable, for any reason, to hold any employment, you have two choices:

- You can receive income replacement benefit based on your determined employment (you also may still be eligible for care expense reimbursements), or
- You can continue to receive the caregiver weekly benefit

Your support and recovery specialist will explain this choice to you and calculate how much you'd receive based on income replacement benefit for your determined employment.

Please note that:

If two people care for the same dependant, only one of them can claim the caregiver weekly benefit.

For further information, please also refer to **When does income replacement benefit end?**, p.23 and **Income replacement benefit 181 days after the crash**, p.21 in **Section 02 – Income replacement benefit**.

Caregiver weekly benefit amount

The amount of your caregiver weekly benefit depends on how many people you were caring for at the time of the crash. This includes children under 16 or people who are unable, for any reason, to hold any employment.

The caregiver weekly benefit is calculated as follows:

Caring for:	Weekly benefit:
1 person	\$584
2 people	\$634
3 people	\$684
4+ people	\$719

Part-time caregivers

You're eligible to have care expenses reimbursed when:

- Before the crash, you provided care on an unpaid basis for:
 - » A child or children under the age of 16
 - » A person who is regularly unable, for any reason, to hold employment
- You can no longer continue to provide this care because of your injuries
- You are a full-time earner or temporary earner
- You are a minor or a student

- You are a part-time earner or non-earner who elected to receive the income replacement benefit, or
- You have catastrophic injuries and are receiving income replacement benefit

Please note that:

- When a child turns 16, coverage relating to that child ends, unless they require care because of a mental or physical disability.
- In order to determine the eligibility for somebody over 16 years of age who is regularly unable to work, we'll need to consider:
 - » Is the person unable to hold employment?
 - » What type of care were you providing to this person?
 - » How do the injuries sustained in the crash prevent you from providing this care?

Care expense reimbursement coverage

Care expense reimbursement helps to pay for someone to take over your caregiving duties if the injuries you sustained in the crash prevent you from performing them.

Please note that:

- All expenses require pre-approval for any reimbursements
- The expenses must be related to the injuries sustained in the crash and not routine expenses you were paying before the crash
- You're only eligible for the care expense reimbursement if you don't have a spouse or if your spouse can't take over your caregiving duties because of work, studies, disability or illness

Maximum care expense amount

We reimburse the actual care expenses you have up to a weekly maximum.

The maximum care expense amount is calculated as follows:

Caring for:	Weekly amount:
1 person	\$146
2 people	\$186
3 people	\$226
4+ people	\$266

Useful tips for care expense reimbursement claims

If in doubt, always check with your support and recovery specialist before incurring any expenses.

You'll need to provide copies of receipts within 180 days for any claims that aren't billed directly, up to a specified limit, but some expenses will need to be pre-authorized by your support and recovery specialist.

You can submit your receipts online at: icbc.com/claims.

Please note that:

We are unable to return original receipts.

Section 04

Personal care assistance



Your coverage

Personal care assistance covers the expense of hiring someone to care for you if your injuries (physical or mental) sustained in a crash prevent you from caring for yourself. The level of coverage depends on the extent of the assistance you require:

- Non-catastrophic injuries: up to \$5,033 month
- Catastrophic injuries that don't require 24 hour care: up to \$6,018 month
- Catastrophic injuries that do require 24 hour care: up to \$10,000 month

Section 04

Personal care assistance



Key points

- Enhanced Accident Benefits reimburse you up to a monthly limit for personal care assistance if you can't care for yourself or perform essential tasks by yourself. For more details see, **Assessing your need for assistance with activities of daily living**, p. 32.
- This coverage is only available for personal needs and daily living tasks and is based on your age:
 - » If you're over 16, it covers necessary needs and tasks from before the crash or that have become necessary as a result of the crash
 - » If you're under 16, it covers necessary needs and tasks from before the crash based on your first assessment. Other needs and tasks may become necessary as you get older
- To qualify for personal care assistance, your assessed needs for assistance with activities of daily living must reach a minimum level. Your support and recovery specialist will arrange to have your needs assessed.
- Your coverage depends on how much assistance you need and is limited to a maximum amount determined by the level of assistance required.
- You can hire whoever you want to help you. Expenses need to be pre-approved for reimbursement and you'll have to provide a legible copy of a receipt with details about the service and the person who performed it. In most cases, we'll pay service providers directly.
- Your ability to care for yourself and your daily needs will likely improve as you recover. We'll re-evaluate personal care assistance needs at regular intervals.

Who can assist you

You can hire whoever you want to help you with your personal care and daily living needs. You can pay family members, friends and neighbours to help you, or you can hire a professional.

However, we'll need to review your claims to make sure any expenses are reasonable, the time required to perform the service is realistic and the amount paid for the service is within the normal range for similar services.

Please note that:

While ICBC may suggest possible service providers, you are ultimately responsible for choosing to employ the person or company who assists you and ICBC isn't responsible for their work in any way.

Assessing your need for assistance with activities of daily living

Your level of personal care coverage depends on how your injuries from the crash have impacted your day-to-day life.

To qualify for personal care assistance, your support and recovery specialist will arrange an assessment of your ability to perform activities which may include:

Looking after yourself:

- Getting into and out of bed
- Dressing and undressing
- Preparing breakfast, lunch and dinner

- Eating
- Washing
- Using the toilet

Looking after your home:

- Housekeeping, such as washing up, vacuuming, dusting and cleaning
- Doing laundry
- Managing personal finances

Going out and about:

- Using public or personal transportation
- Shopping for food, household supplies and other necessities
- Using facilities in your home and neighbourhood, such as the telephone, television and local library

Useful tips for personal care assistance claims

You can help us with your claim for personal care assistance by making sure that all documents and copies of receipts that you submit are complete, including all relevant information about your services and the caregiver(s) who performed them.

You can submit your receipts online at [icbc.com/claims](https://www.icbc.com/claims).

Please note that:

If necessary, we can also pay the person or company assisting you directly.

Section 05

Permanent impairment



Your coverage

You'll receive a lump sum amount if you sustain a permanent impairment such as scarring or disfigurement as a result of injuries sustained in a crash.

The amount payable is calculated as a percentage linked to the type of impairment you've sustained.

Section 05

Permanent impairment



Key points

- An impairment is defined as permanent damage to a part of your body or bodily function. Examples of impairment include scarring, loss of mobility or amputation.
- Each type of impairment is assigned a percentage to represent the level of impairment. The most serious and disabling impairments are assigned the highest percentages.
- Lump-sum permanent impairment amounts are determined by the type of injury you have sustained:
 - » For a catastrophic injury, such as those that cause quadriplegia, paraplegia, severe brain injury or loss of vision, this figure is \$264,430.
 - » For a non-catastrophic injury, the minimum payment for this is \$836 and the maximum payment is \$167,465.
 - » Catastrophic injuries are defined in the Permanent Impairment Regulation. Any injury or combination of injuries meeting the definition will receive the maximum amount.

Section 05

Permanent impairment



Key points (continued)

- Your support and recovery specialist will request information from your health care provider to establish the type and degree of impairment resulting from the crash. Your impairment would then be assigned a percentage value. That percentage is your portion of the maximum amount payable at the time of crash. For example, somebody with a single impairment of 50 per cent would receive half the maximum amount: 50 per cent of \$167,465.
- A permanent impairment payment is made after:
 - » Your treatment has been completed
 - » The injury has healed as much as possible
 - » The extent of the impairment can be properly assessed
- The timing of your benefit payment depends on your injury and recovery period. Your support and recovery specialist can advise you on your specific situation.

Multiple impairments and pre-existing impairments

If you suffer more than one impairment as a result of injuries sustained in the crash, we will factor together the percentages for the different impairments to establish the amount of your benefit. However, depending on your situation, this can be more complex than simply adding the percentages together.

If you had a pre-existing impairment before the crash, your crash-related impairment might have more serious consequences for you. Depending on what your pre-existing condition was, we'll consider it when calculating your permanent impairment payment.

You may be eligible for an enhancement component if you have symmetrical body parts that are both impaired.

.....
Please note that:

Pre-existing conditions do not include anything that:

- Affects an internal organ
 - Affects an organ controlling vision, balance or hearing
 - Affects the teeth
 - Results from an injury to the central nervous system
-

Receiving your permanent impairment payment

In most cases, we'll need to wait until your injuries have had a chance to heal so that your health care practitioner can assess the extent of the permanent impairment. Depending on the injury, it can take a year or more to establish the full extent of the impairment and therefore the amount of the permanent impairment payment.

Useful tips for permanent impairment claims

If your medical information confirms you have a permanent impairment as a result of injuries sustained in the crash, please contact your support and recovery specialist, who will tell you what documents ICBC needs in order to process your claim.

Your support and recovery specialist will usually request information directly from your health care provider so that they can assess the appropriate permanent impairment amount.

Section 06

Rehabilitation



Your coverage

Enhanced Accident Benefits are all about helping you get back to your normal activities as soon as possible after the crash. But if your injuries are too severe, we'll help you find alternatives.



Key points

- Everybody's situation is different. But our overall goal is to help you resume your normal pre-crash activities as much as possible. To assist your recovery and offset economic hardship, we provide reimbursement for treatment costs and a range of economic losses. The amount and type of reimbursement provided will depend on your unique situation.
- Rehabilitation coverage includes, where appropriate:
 - » Help returning to work at the job you had before the crash, or training for a new career
 - » Any necessary alterations to your home or vehicle(s)
 - » ICBC has discretion to cover anything necessary or advisable to promote your rehabilitation, providing it is not restricted by Regulation
- Your medical and rehabilitation support team will also help to determine a realistic plan for your treatment and your situation.

Your recovery plan

If you've sustained injuries in a crash, we want to help you to get your life back to where it was before the crash.

The key to all of this is your Recovery Plan. Your medical and rehabilitation team will work with you to determine a realistic plan for your treatment. It will set out the goals and expected length of your treatment. It may also include milestones and a schedule of times to re-evaluate the plan.

The Recovery Plan is personal to you and your situation. It can also identify expenditures that could help you to achieve these goals. Your commitment to the plan and your ongoing efforts to follow it will be critical to your recovery.

What kind of recovery support can I expect?

The composition of your medical and rehabilitation team will depend on the type of injuries you sustained in the crash, and the type of treatment you're receiving.

Usually, a support team may include:

- The healthcare practitioners who are working closely with you, such as your doctor or nurse practitioner, chiropractor, physiotherapist, occupational therapist and rehabilitation counsellor
- Your ICBC support and recovery specialist
- Other specialized ICBC team members

- Your family and friends
- And most importantly - yourself!

You're by far the most critical person in your support team. Your commitment to recovery is the most critical part of a successful Recovery Plan.

Can I get help getting back to work?

If you've sustained injuries in a crash, then apart from recovering your health, you'll also want to get your career back to where it was.

While you'll probably want to get back to the employment you were in before the crash, this might not always be possible. But Enhanced Accident Benefits may be able to assist with alternative employment options, and if necessary, may provide assistance with your resume, access to retraining or vocational rehabilitation.

Alterations to your home

When a serious disability requires it, Enhanced Accident Benefits will cover the cost of certain alterations to your home so that you can better manage your daily needs independently. This might include installing special bathroom fixtures or more easily accessible kitchen counters and if necessary, help with relocation costs if your current home is no longer suitable for your needs.

Alterations to your vehicle

If the injuries you sustained in the crash are permanent, then in certain cases, Enhanced Accident Benefits may cover the cost of adapting one or more of your vehicles so that you can continue to drive.

And if you're unable to drive, Enhanced Accident Benefits can also cover alterations to vehicles owned by you or your immediate family so that you can travel as a passenger.

Section 07

Catastrophic injuries



Your coverage

Enhanced Accident Benefits make sure the most seriously injured customers get the care and support they need for as long as they need it. If you've had a life-altering injury, Enhanced Care offers additional help on top of your care and recovery benefits.



Key points

- Enhanced Accident Benefits provide medical care, recovery and income replacement benefits for as long as they're needed, even over your lifetime.
- If you're catastrophically injured, you're eligible for a lump sum permanent impairment benefit of \$264,430.
- Your personal care assistance benefits cover you for the following amounts:
 - » Up to \$10,000 per month if you require 24/7 supervision
 - » Up to \$6,018 per month if you don't require 24/7 supervision
- Other benefits are available to help you participate in recreational or leisure activities, and to cover extraordinary expenses for travel, accommodation, or other special circumstances.

If you suffer a catastrophic injury as a result of a crash such as those that lead to quadriplegia, paraplegia, severe brain injury or loss of vision or limbs, your case will be managed by one of ICBC's Advanced Support and Recovery Specialists.

They will be the main ICBC contact for you and your family and will work with you and your medical team to help advise on the treatment, care and support available to you.

Travel and accommodation

We'll help to pay for travel and accommodation expenses for you – and a companion or assistant if required – to travel as you did before the crash.

Payment for special circumstances (extended benefits)

In special circumstances, additional funds are available at ICBC's discretion for other expenses.

These are funds from ICBC that you would otherwise not be eligible for, such as providing temporary benefits while you wait for funds from another government program or insurer.

ICBC may determine that paying the cost of a particular expense would not only significantly improve care and recovery, but would also mean positive long-term benefits and net financial savings in managing future care.

Section 08

Disputes and restrictions

Under Enhanced Care, ICBC is required, by law, to advise and assist every British Columbian with their claim and endeavour to ensure that every person is informed about, and receives, all the benefits they are eligible for.

However, there are times when customers may wish to dispute a benefit decision, or when we need to restrict their coverage.

Disputes

If you disagree with a benefit eligibility or coverage decision, there are options for you to dispute it.

Talk to your claim representatives

The first step is to talk to your support and recovery specialist. It's important that both of you understand all of the factors taken into account and this is your opportunity to point out anything that might have been overlooked and ask questions about why benefits were denied.

If you're still not satisfied, ask to speak with their manager. The manager will review the circumstances and address your concerns.

Ask for a Claims Decision Review

If the matter isn't resolved after talking to your support and recovery specialist and their manager, you can ask that it be sent for

a Claims Decision Review (CDR). This review process is overseen by our Fair Practices Office, and is separate from our claims handling area.

A team will review your circumstances and all the documentation related to your claim, and may contact you for further information. They will send you the outcome of the review in writing as soon as it is complete, usually within a month.

More information on the Fairness Process is available on [icbc.com](https://www.icbc.com).

Other options for disputes

There are other options available for customer disputes, separate from ICBC.

Civil Resolution Tribunal

The Civil Resolution Tribunal (CRT) is a decision-making body independent from ICBC. If you disagree with an aspect of your claim such as your eligibility for Enhanced Accident Benefits, you may apply to the CRT for dispute resolution.

The CRT is part of the public justice system and its expert tribunal members are independent and neutral. It is required to apply the law and make enforceable decisions.

If you or ICBC don't agree with the CRT's decision, you can ask the B.C. Supreme Court for a judicial review of the decision. Find out more about the CRT at [civilresolutionbc.ca](https://www.civilresolutionbc.ca).

Fairness Officer

A fairness officer will be appointed by government in 2021. The officer will have the authority to review and make recommendations to resolve customer complaints about the policy and process ICBC used to make a decision in their case. More information is available on [icbc.com](https://www.icbc.com).

BC Ombudsperson

The Office of the Ombudsperson helps determine whether B.C. provincial and local public authorities have acted fairly and reasonably – and whether their actions and decisions were consistent with relevant legislation, policies and procedures.

As an independent statutory office of the provincial legislature, its services are free of charge. Find out more at the Office of the Ombudsperson website at [bcombudsperson.ca](https://www.bcombudsperson.ca).

More information

Visit [icbc.com/claims](https://www.icbc.com/claims) for more information on disputes and appeals.

Restrictions for criminal convictions

Criminal Code convictions and income replacement benefit

Criminal convictions of specified offences will result in a reduction of income replacement, permanent impairment and death benefit.

Your support and recovery specialist can provide further details if necessary. There is no impact to any other benefits.

There are other Criminal Code offences for which income replacement benefit will be reduced for the first 12 months following the crash. In these cases, two factors will affect how much less the income replacement benefit will be:

- Fault
- Number of dependants

US Convictions

If you're convicted in the United States for a crime related to the accident, it will have the same impact on income replacement as if the offence occurred in Canada.

Criminal Code convictions and permanent impairment

If you're convicted of certain Criminal Code offences, you may lose your eligibility for some or all of the permanent impairment payment. This depends on the nature of the criminal code conviction and on who was responsible for the crash.

Other reasons for restrictions

Along with certain Criminal Code convictions, your coverage could also be reduced, suspended or terminated if you:

- Knowingly provide us with false or inaccurate information.
- Refuse or neglect to produce information, or provide authorization to obtain information when requested in writing without a valid reason.

And also, if without a valid reason, you:

- Refuse to return to your former employment, leave employment that you could continue to hold, or refuse new employment.
- Refuse, neglect to undergo or interfere with a medical examination requested by ICBC.
- Refuse, do not follow, or are unavailable for medical treatment recommended by a medical practitioner and ICBC.
- Prevent or delay your recovery deliberately.
- Refuse or do not participate in a rehabilitation program made available by ICBC.
- Prevent or obstruct ICBC from legally exercising subrogation or recovery under this Act.



Contact us

If you need help, please call your support and recovery specialist directly, or contact us at:

604-520-8222 (Lower Mainland)

1-800-910-4222 (toll-free)

You can find the answers to many questions on [icbc.com](https://www.icbc.com). and if you've filed a claim with us, you can [check the details of your claim](#) at any time.

Disclaimer

The information in this publication is intended to provide general information only and is not intended to provide coverage, legal or professional advice. We have used plain language to help you understand your Enhanced Accident Benefits and to describe some of the laws related to Enhanced Accident Benefits. Information in this document is subject to change without notice. You should follow the more detailed wording and requirements of current applicable laws and regulations, even if they contradict the wording and requirements set out in this publication.

