

# Your support guide for fatality claims



## Introduction

We know the sudden, unexpected loss of a family member and loved one can be emotionally and mentally overwhelming. We're here to help during this difficult time.

We will answer any questions you have and help you complete the necessary paperwork. As much as possible, we will work at a pace that suits you.

This guide explains the entitlements available to immediate family members under Enhanced Care, as well as the criteria used to determine the financial and other assistance available.

Your ICBC claim representative will review this information with you and explain the entitlements and support available. You can contact your claim representative if you have questions or need any more information.

### Notes

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## Funeral expenses

Enhanced Accident Benefits provide up to \$9,130 (per deceased, including taxes) for funeral or burial expenses.

Funeral expenses can include the costs of transporting the deceased, funeral or burial services, cremation, a cemetery burial plot and a grave marker. Your claim representative can advise what other related expenses may also be considered under this coverage.

We can pay the funeral expenses directly or reimburse the person who incurred the expenses. Reimbursement will be based on copies of invoices or receipts.

## Grief counselling

Each family member\* is entitled to up to \$3,818, per deceased, for grief counselling. This could be provided by a counsellor, psychiatrist, member of the clergy, or Indigenous elder, among others. Talk to your claim representative about the types of counselling provider that are covered.

Accommodation and travel expenses may be pre-approved when a family member must travel more than 50 km (one way) from their home community to attend grief counselling. Financial support is available until the maximum payment amount is reached.

Some providers can bill ICBC directly for the counselling sessions, or family members can pay and be reimbursed, based on receipts submitted.

\*Family of the deceased includes: spouse, partner, child, step-child, parent, step-parent, grandparent, guardian, siblings, step-siblings and others who had a family-like relationship with the deceased.

## Payments to immediate family

Spouses, common-law partners, dependants and, in some cases, grown children and parents of a person who was fatally injured, are eligible for lump-sum payments under Enhanced Care.

### Payment to spouse or common-law partner

Enhanced Accident Benefits pay a lump-sum to a surviving spouse or common-law partner. The amount paid depends on the age and income of the deceased at the time of the accident. The minimum payment is \$66,987.

**A spouse is:** Someone who was married to and residing with the person at the time of the fatal injury.

**A common-law partner is:** Someone who was living in a marriage-like relationship with the person for at least two years preceding the fatal injury.

If there is no spouse eligible to receive this benefit, any dependent children will share the amount that otherwise would have gone to the spouse.

### Notes

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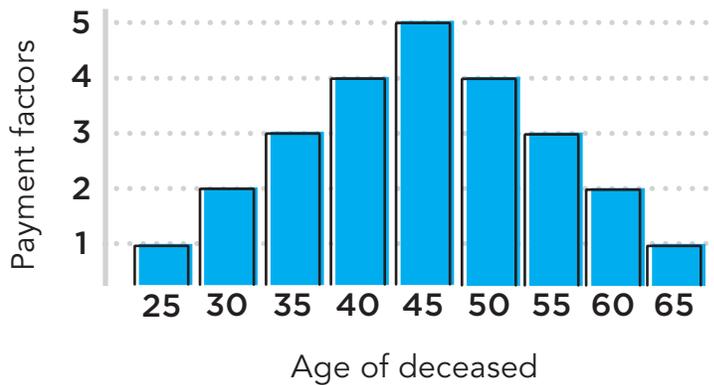
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## Determining the payment amount

If the deceased was employed at the time of the crash, the payment will be based on the person's gross yearly employment income and age.

To calculate the amount that a spouse or common-law partner will receive, we multiply the gross yearly employment income by a number from 1 to 5, as shown in the chart below.

**This chart shows the link between payment factors and age.**



If the deceased was unemployed at the time of the accident and would not have been entitled to income replacement benefits, the spouse or common-law partner will receive the minimum lump-sum payment of \$66,987.

If the surviving spouse is disabled, different factors are used to determine the payment amount. Talk to your claim representative for more information.

## Payment to dependants

Enhanced Accident Benefits pay a dependant \$31,187 to \$60,000, depending on the dependant's age at the time of the deceased's death.

### A dependant can be any of the following:

- A child who was under 19 at the time of the accident, for whom the deceased was legally liable and was dependent on for financial support
- A child 19 or older, who resided with and was financially dependent on the deceased because of a mental or physical disability
- A child 19 or older who was financially dependent on the deceased because of a mental or physical disability who was residing with the deceased before residing in a care facility
- A spouse who was not living with and not separated from the deceased at the time of the accident
- A former spouse who is legally entitled to receive spousal support from the deceased
- A parent who was financially dependent on the deceased at the time of the accident
- A parent who was financially dependant on the deceased and residing in long term care

## Dependants with disabilities

A dependant with disabilities is entitled to an additional payment of \$29,306.

They are those who are unable to hold substantially gainful employment because of a physical or mental disability of indefinite duration. Their disability must have existed at the time of the death. Your claim representative will discuss the ways in which this entitlement can be confirmed.

## Payment to dependants of a single parent

When a single parent is fatally injured, Enhanced Accident Benefits provide two payments to dependent children:

- The regular payment for a dependent child
- The payment that would have been made to a spouse or common-law partner, if there had been one, is divided equally among the dependent children

This payment structure recognizes that dependants of a single parent could have limited financial resources and provides some additional financial support.

## Payment in other situations

### No spouse, common-law partner or dependants

If the deceased had no spouse, common-law partner or dependants, non-dependent parents and non-dependent children each receive a lump-sum payment of \$14,918.

### Caregivers

If at the time of the accident, the deceased's main occupation was to care, without pay, for a child under 16 or a disabled person who is regularly unable to hold any employment, a caregiver weekly benefit may be available. Your claim representative can advise you on how to apply for this coverage.

## How to begin

We are here to help during this difficult time. As much as possible, we will work at a pace that suits you, asking only for information that is necessary to establish your claim and ensure you receive the appropriate entitlement.

### Document checklist

The checklist below will help you gather the required documents. Your claim representative will identify documents relevant to your specific claim or expense and will let you know which documents or forms they will provide to you.

Copies of applicable documents have to be received before lump-sum payments can be made.

For payment or reimbursement of funeral expenses and grief counselling expenses, you will need to provide a copy of your invoices or receipts.

#### Documents you may need:

- Copy of invoices or receipts for funeral expenses
- Copy of invoices or receipts for grief counselling sessions
- Copy of proof of death certificate (from BC Medical Examiner)
- Copy of funeral director's certificate of death
- Copy of certificate of disability (from a physician)
- Copy of tax returns (for last three years if deceased was self-employed)
- Copy of marriage certificate
- Copy of child(ren)'s birth certificate(s)
- Employer verification of earnings form

## Disputes

Our aim is to treat all our customers fairly and consistently and we make every effort to explain how decisions are made. If disagreements about entitlements or payments arise, the first step in attempting to resolve the matter is to discuss the decision with your claim representative.

If the matter cannot be resolved with your claim representative, ask to speak to their manager. The manager will review the circumstances of your claim. If the manager still cannot resolve the disagreement, they can escalate it to ICBC's Claims Decision Review process. This process is independent of our claims handling department.

### Other options if you have concerns about your claim

If you are still not happy with the outcome, you can file a dispute with the **Civil Resolution Tribunal** (CRT), a tribunal independent from ICBC. The CRT provides dispute resolution services if a claimant disagrees with an aspect of a claim, such as the entitlement to certain benefits. For more information, see [civilresolutionbc.ca](http://civilresolutionbc.ca)

Other options include raising your concern with the **B.C. Ombudsperson**, [bcombudsperson.ca](http://bcombudsperson.ca), who helps determine whether B.C. provincial or local public authorities have acted fairly and reasonably, or the **Fairness Office**, which will be responsible for reviewing fairness complaints about ICBC.

Your claim representative can explain your options. More information can be found at [icbc.com](http://icbc.com) under Claims – Disputes and appeals.

## 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. The terms and conditions of the insurance coverage offered by ICBC are set out in the *Insurance (Vehicle) Act* and the *Enhanced Accident Benefits Regulation* and are available from [bclaws.gov.bc.ca](http://bclaws.gov.bc.ca)

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

