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## Dexter: N.S. looking at insurance cap options

By DAVID JACKSON Provincial Reporter

Premier Darrell Dexter said Thursday that he was merely pointing out an option, not a final policy, when he said during the election campaign that the NDP would scrap the \$2,500 cap on pain and suffering awards for minor injuries in vehicle collisions and replace it with a deductible.

Mr. Dexter said he wants to see a discussion paper and the comments it generates before his government decides on changes to the cap.

"The \$2,500 cap will not be in place after the review is over. The form in which it will be replaced and how we go about doing that, I have not predetermined," Mr. Dexter said in a conference call from Denmark, where he is attending the United Nations climate change conference.

Mr. Dexter did indicate in May that he had a position on removing the cap. He told The Chronicle Herald then that his government would replace it with a system where victims could only get a financial award if a settlement exceeded a legislated deductible limit.

That amount would be deducted from whatever award was made. So if a claim wasn't worth more than the deductible, the plaintiff wouldn't go ahead with a claim.

Mr. Dexter said that would be a way to prevent people from pursuing frivolous claims, which the insurance industry had complained was driving up costs earlier this decade.

John Hamm's Progressive Conservative government, with the support of the Liberals, put the cap in place in 2003 to curb skyrocketing insurance premiums. The government also rolled back rates 20 per cent.

Mr. Dexter and other critics said the cap unfairly penalized people who were legitimately suffering.

"Insurance, after all, is a product that is designed to protect people," Mr. Dexter said Thursday. "If you exclude people from protection through a \$2,500 cap, then, by definition, you're not delivering the product that's being paid for."

Finance Minister Graham Steele, minister responsible for the Insurance Act, said earlier this week that another option for changing the system is changing the definition of minor injury.

The current definition of minor injury in the Insurance Act is a "personal injury that does not result in a permanent serious disfigurement, does not result in a permanent serious impairment of an important bodily function caused by a continuing injury which is physical in nature, and resolves within 12 months following the accident."

The Liberals and Tories both say the Dexter government shouldn't touch the current system because changes will likely lead to higher insurance premiums.

The government's discussion paper is due out within days.

Mr. Steele said this week that proposed changes will be tabled in the legislature in the spring.

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