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Official Journal of the Ontario Insurance Adjusters Association

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Special Edition



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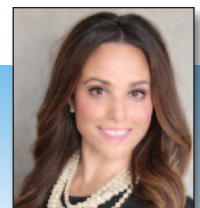
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Ian Gallagher
President, OIAA

President's Message

HAPPY NEW YEAR!

On behalf of the OIAA Provincial Executive, I would like to wish our entire Insurance community a healthy and prosperous New Year.

I sincerely hope you enjoy January's Special Edition of WP. This year marks the 25th Anniversary of the OIAA Claims Conference and Trade Show. Our theme this year is "Let's Celebrate 25 years of Education and Networking", fittingly named as we celebrate the Silver Anniversary of Canada's largest Claims Conference.

One of the goals of the OIAA is to provide a platform for professional development and networking of our members and vendors alike, as well as many of our Ontario colleges' graduating students who are considering the Claims industry as a career.

In addition to celebrating 25 years of continued success, this year's Claims Conference brings with it some timely changes, which we are certain will enhance the overall experience for both members and vendors/sponsors alike. This year we have excluded the traditional key note speaker/luncheon during the trade show. This change came about from positive feedback received from many of our vendors who historically have been unable to attend the lunch because of trade show booth duties. If you read on, you will see that we have decided to add a key note speaker to our March dinner meeting instead.

This month also marks the 50th Anniversary of the Ontario CICMA/CIAA Joint Conference. Neither of these events, nor associations for that matter, would exist if it weren't for the contributions made by the many volunteers who have helped to run them. In October, the OIAA paid tribute to our Past Presidents who our association has been fortunate to have had help steer our ship over the past 85 years. All volunteers, these individuals have sacrificed countless hours from both their workplace and family life, all to help develop our professional associa-



tion into what it is today. In addition to the OIAA Provincial Executive, the OIAA is comprised of 11 chapters around the Province. Each chapter has their own executive, all volunteers, who help to keep their chapters viable, which in turn helps keep our provincial association flourishing. These volunteers are duly recognized and congratulated for their efforts.

I was only recently made aware of the fact that approximately one-half of Canadians contribute their time, energy and skills to organizations such as charities, including not-for-profit organizations. These dedicated individuals provide leadership on various boards and committees, canvass for funds, become counselors or mentors, as well as advocates for social causes. We should truly be proud of these statistics and the fact that so many Canadians, regardless of race and religion, have that desire to help develop their community, which then turns a positive spin on our entire country.

I must admit, the volunteers who I still truly hold in high regard, are those who volunteer to coach and mentor kids' sports. I remember the countless hours that one coach in particular gave, not only to me, but for the benefit of our entire hockey association in Parry Sound. He coached and mentored hundreds of kids over the years, all who grew up dreaming that maybe one day they would play in the NHL.

Speaking of the NHL, I am very excited and pleased to announce that celebrity John Scott, last year's MVP and winning captain of the NHL's Allstar game will be our guest speaker at our March 8, 2017 dinner meeting. Look for more details on both www.oiaa.com and in next month's WP.

Happy New Year!

Ian Gallagher, CIP
President, Ontario Insurance Adjusters Association
E-mail: igallagher@Kernaghan.com

NEXT MEETING

There will be no general meeting in January, 2017

Tuesday, January 31, 2017

Claims Conference 2017

Location: Metro Toronto Convention Centre, Constitution Hall.

See page 23 for details.

For more information please visit our website www.oiaa.com.

OIAA - Executive Council 2016 – 2017



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Without Prejudice Articles	Terry Doherty	Kyle Case			
WP Advertising-Sales	Johanna Rienzo	Terry Doherty			
Media Relations.....	Carrie Evans	Johanna Rienzo			
Website.....	Ray Proctor	Kyle Case			
Social Media.....	Kyle Case	Johanna Rienzo, Shawna Gillen			
GTA Membership Liaison.....	Carrie Evans	Shawna Gillen, Johanna Rienzo, Matt Rienzo			
EDUCATION					
Speakers & Meetings.....	Ian Gallagher	Jennifer Graham			
Seminars and Education	Carrie Evans	Stephen Tucker, Mike Hoffman			
Adjuster Training- Development	Rhu Sherrard	Stephen Tucker			
Strategic Planning Committee.....	Michael McLeod	Cindy Bridge, Matt Rienzo, Geoff Sullivan, Kyle Case			
Bursary	Cindy Bridge				
CONFERENCES					
2017 Claims Conference	Rhu Sherrard	Cindy Bridge, Craig Ozog			
Career Fair	Jennifer Graham	Michael McLeod			
2017 Provincial Claims Conference..	Stephen Tucker	(Kitchener/Waterloo)			
2019 Provincial Claims Conference..	Cindy Bridge	(Ottawa/Thousand Islands)			
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John E. Lowes.....	Matt Rienzo				
INDUSTRY					
Licensing	Ray Proctor	Matt Rienzo			
Industry Liaison	Ian Gallagher	Jennifer Graham			
ASSOCIATION OPERATIONS					
Chapter Liaison	Ian Gallagher	Jennifer Graham			
Membership.....	Simone Cybulski	Jennifer Graham, Leanne Hardman, Michael McLeod			
Discipline.....	Catherine Groot				
Constitution	Michael McLeod	Leanne Hardman			
Handbook	Blair Boilard	Greg Doerr			
Ways & Means	Leanne Hardman				
Nominating.....	Catherine Groot	Ian Gallagher			
Vendor Relations/Sponsorship.....	Simone Cybulski	Carrie Evans, Matt Rienzo			
ENTERTAINMENT					
Past-Presidents' Night	Cindy Bridge	Geoff Sullivan			
Christmas Party	Michael Hoffman/Johanna Rienzo	Cindy Bridge			
Vendor Appreciation	Simone Cybulski	Carrie Evans, Matt Rienzo			
Golf Tournament	Greg Doerr	Matt Rienzo, Craig Ozog			
September Kick Off.....	Shawna Gillen	Matt Rienzo, Carrie Evans, Johanna Rienzo			

Surviving SABS Changes

*By Deborah Sherren, CIP, Senior Casualty Independent Adjuster,
Vericlam Canada*

**We are now a few months into the Brave New World of
Post FSCO ADR, otherwise known as the Land of LAT.
The decisions that have been released have been
widely reported and analyzed.**



***Additionally is the health care provider authorized to charge the rate they are requesting?
Does a “psychological associate” have the training and education for the rate of a Psychologist, or are they more akin to a “Non-Regulated Health Professional”?***

As claims handlers, how can we best support this process? Section 44 Medical Reports need to stand out and determinations both pre and post the Examination need to be clear and specific and contain all medical and other reasons. Boiler Plate reports, “Standard questions” and vague determinations, if not already discarded, will need to be a thing of the past.

Fortunately we have the tools available now to improve the quality of reports and to assess the evidence presented from treating health care providers and provide a wholesome medical history to our Assessors before the Section 44 Assessment begins.

Section 40(2)(3) states:

3. The treatment confirmation form must be signed by the person claiming benefits, unless the insurer waives this requirement.

Section 38(3) states:

(3) A treatment and assessment plan must,
(a) be signed by the insured person unless the insurer waives that requirement;

Only in extreme circumstances should an Insurer waive the condition for an OCF23 or an OCF18 be signed by the claimant. How many adjusters’ actually secure a signed copy? Having this document together with the CV of the provider serves to confirm the Health Practitioner is authorized by law to provide the treatment (as required under subsec-

tion 40(2)(1)(ii), and that the insured is aware of what treatment requested in advance of a response letter). Many times we hear complaints that the claimants have been to multiple assessments at the request of the Insurer, but in reality the insurer may have paid for the assessments, but at the request of the clinic.

Additional benefits of having the CV of the health care provider in advance include anti-fraud measures, in light of all the recent cases involving stolen health care provider credentials. Additionally is the health care provider authorized to charge

the rate they are requesting? Does a “psychological associate” have the training and education for the rate of a Psychologist, or are they more akin to a “Non-Regulated Health Professional”? Second, it will assist the Insurer in identifying the appropriate Section 44 Assessor should a dispute arise down the road.

Securing the signed OCF23 can assist an adjuster when considering the Medical or Other Reasons for considering a Section 44 Examination. Possessing the signed document offers confirmation that the claimant has been informed and



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agrees with the process treatment (part 9). This can be used as another reason when considering if submissions for psychological or other treatment. The failure to submit a signed copy should be considered an "other" reason. Does the submission request a blank fee for an assessment, a bulk fee of \$2,000.00 for a psychological assessment with no detailed description of the goods and services provided is not permitted by the Professional Services Fee Guidelines. How long was the impairment period reported on the OCF3 and is it passed?

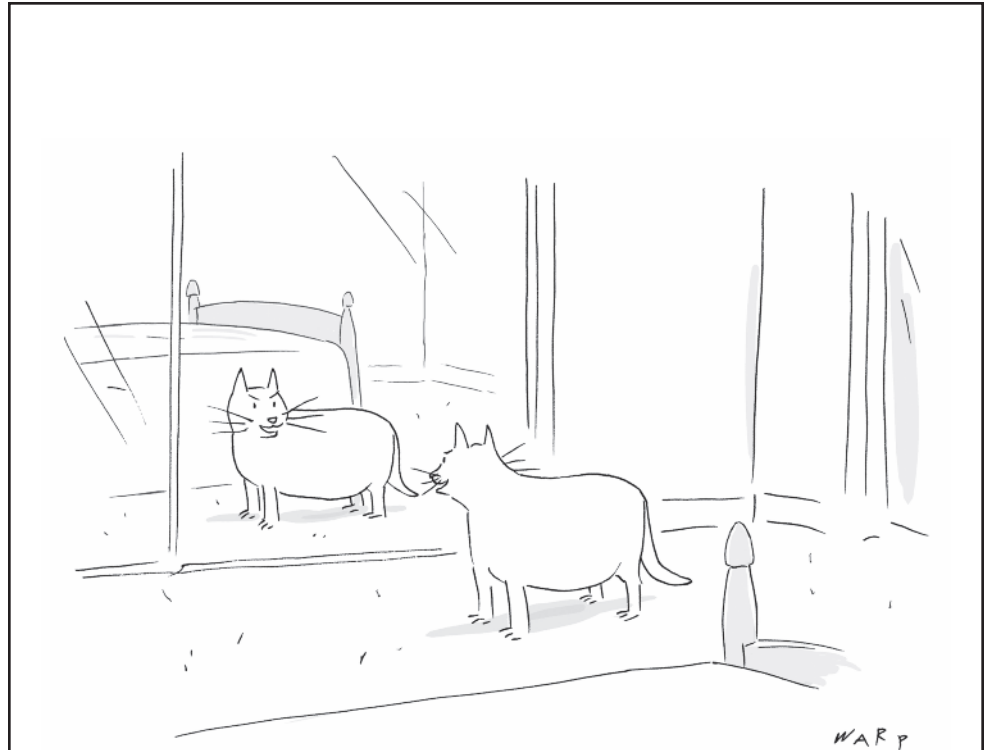
The form has been submitted and approved, the therapy has been consumed, and an invoice lies in wait in HCAI. What's left to do but upload the invoice and pay? There are additional resources we can use now to further assess the charges claimed.

Section 46.2 states:

46.2 (1) An insurer may request any of the following information from a provider:

1. Any information required to assist the insurer, acting reasonably, to determine its liability for the payment, including access to inspect and copy the originals of any treatment confirmation form, treatment and assessment plan, assessment of attendant care needs and other documents giving rise to the claim for payment

Requesting the Sign in Sheets and Clinical Notes and Records to support an invoice BEFORE the invoice is paid is a best practice that can be implemented now. Has the service actually been incurred? Is the claimant reporting an improvement with the delivery of service? Exactly what "supplementary goods and services" were provided and how were those services documented in



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Happy New Year!



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the clinical record. Securing these records before payment of invoice to support the charges should be a best practice adopted by Insurer's now. Remember Insurers have 30 days to make a decision on an invoice, that is ample time for the Provider to submit the requested documentation.

Once satisfied that the services were consumed, or further explanation from the provider is obtained, these records can be provided to a Section 44 Assessor for an independent review of treatment consumed when preparing their opinion on the need for future treatment, removal from the MIG or an ongoing determination of Specified Benefits.

We can also employ this strategy when looking at payment for Assessments as well. Securing the Clinical Notes and Records used to prepare a Job Site Analysis or a FAE to determine reliability of that report. Was maximum effort noted, was there a change in the claimant's heart rate? How much "facetime" did the assessor actually have to complete a Job Site, or was the report completed over the telephone with the claimant?

Section 46.2 does not require the Insurer to pay for clinical records requested under this Section and stops interest charges for invoices denied for non-compli-

Was maximum effort noted, was there a change in the claimant's heart rate? How much "facetime" did the assessor actually have to complete a Job Site, or was the report completed over the telephone with the claimant?

ance with this Section. Economical v. Fairview Assessment has established the Application for Accident Benefits is the consent to release that information.

It's time to refer for an Section 44 Examination, you have asked for pre/post-accident clinical notes and records, OHIP records, Hospital/ Ambulance records under Section 33 and to date opposing counsel has not provided those records. Is all lost? No.

Section 44(9)(1) and (2)(ii) states:

1. If the attendance of the insured person is not required, the insured person and the insurer shall, within five business days after the day the notice under subsection (5) is received by the insured person, provide to the person or persons conducting the examination such information and documents as are relevant or necessary for the review of the insured person's medical condition.
2. If the attendance of the insured

person is required,

- ii. the insured person and the insurer shall, not later than five business days before the day scheduled for the examination, provide to the person or persons conducting the examination such information and documents as are relevant or necessary for the review of the insured person's medical condition

When sending your referral to the Section 44 Examiner, we need to advise them at the time of the referral that we have asked for XYZ and to date it has not been provided. Requesting a review of the medical documents up front to advise if XYZ is required before the assessment will provide the insurer with the authority to rely on Section 44(9) to request the documents and stop the assessment and maintain a position of non-compliance if the documents are not provided within 5 days of the assessment. However, an Insurer will not be able to rely on this Section if

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the documents are requested following the commencement of the Examination.

Referral questions need to be considered carefully as well. We know the diagnosis and prognosis of the claimant should be covered in the body of the report. Requesting the assessor restate the diagnosis in the question/answer section often results in a "see body of report" answer. Case specific questions will also cut down on the length of a report as boiler plate questions which result in "see report" or "n/a" will be eliminated.

Questions should be tailored to the claimant. Are a 16 year old high school football player's injuries from a motor vehicle the same as his 47 year old mother? Probably not, therefore, the questions posed to the assessor for both claimants need to be considered individually as well.

A final question to our Assessors should be "Did you have enough medical and other information available to form your opinion?" This should be the only standard question amongst the examination process.

Following all of these steps will provide the Accident Benefits Insurer with a more wholesome Section 44 Report, stronger determinations on benefits and will prepare the files and the adjusters for the License and Appeal Tribunal.



Deborah Sherren, CIP is a Senior Casualty Independent Adjuster serving the Greater Toronto Area with Vericclaim Canada, a Sedgwick Company

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Important Decision on when Catastrophic Accident Benefits become Overdue

Case Study: Van Galder v. Economical, 2016 ONCA 804

By Bogdan Miscevic, Associate Lawyer, McCague Borlack LLP

The Court of Appeal has released a decision placing the onus on an insurer for determining whether a claimant is catastrophically impaired.



It is important to note that some of these were incorrectly filled out by the applicant and had technical non-compliances but the application judge held that these were not the applicant's fault.

Specifically, if an insurer withholds catastrophic benefits until it receives an OCF-19, then it could be faced with a massive interest award from the date the catastrophic impairment arose (not the date the OCF-19 was submitted or accepted by the insurer).

In this case, Economical appealed the order of the application judge that required it to pay the applicant interest in the amount of two percent per month, compounded monthly, on attendant care, and housekeeping / home maintenance benefits. The amount of interest ordered payable was approximately \$500,000.00 on the additional attendant care and housekeeping benefits of \$173,561.99, which were paid to the applicant.

Background

Economical paid attendant care and housekeeping benefits under non-catastrophic heading until January 20, 2006, 104 weeks following the applicant's accident. Between 2007 and 2012, the applicant made four applications for a determination that she had suffered a catastrophic impairment as a result of her accident. *It is important to note that some of these were incorrectly filled out by the applicant and had technical non-compliances but the application judge held that these were not the applicant's fault.*

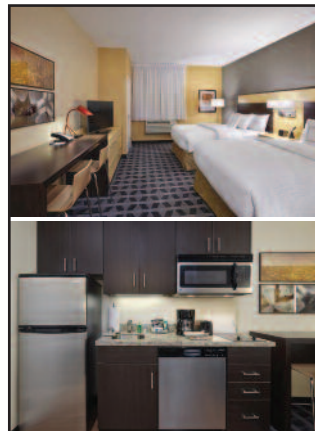
Following her fourth application, the insurer had its medical examiners evaluate the applicant's injuries and, on July 19, 2013, they conceded

that the applicant had sustained a catastrophic impairment within the meaning of the SABS. Although Economical paid the applicant a lump sum for retroactive benefits, it maintained that additional amounts were not overdue absent a catastrophic injury application and determination, which did not occur until July 2013, and as such interest was not payable for that period.

The application judge ordered the insurer to pay interest for the reason that it would be inequitable to deny the applicant interest in the circum-

stances of this case. The judge allowed the applicant's application, accepting that she had suffered a catastrophic impairment at the time of her accident and ordered that interest was payable on the attendant care and housekeeping and home maintenance benefits.

The application judge's decision was upheld on the appeal. The appellate judge held that this appeal turned on the following question — when did the additional catastrophic benefits become overdue so that interest started to accrue. The appel-



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late judge indicated that the applicant had been catastrophically impaired since the accident and that as such the insurer should have paid and continued to pay the applicant benefits up to the catastrophic impairment ceiling and beyond the 104-week period.

In Summary

It is also important to note that this case holds that benefits only available to catastrophically injured claimants can become overdue (thereby triggering interest) even before an application for determination of catastrophic impairment has been submitted. Further, this suggests that interest on medical and rehabilitation benefits expenses above the non-catastrophic policy limits, housekeeping expenses and post-104 attendant care expenses that are not paid in the time required by the SABS will accrue interest even if the applicant had not yet applied for catastrophic determination.

The application and appellate judges both indicated that the insurer had enough information for years with respect to the applicant to know that she was catastrophic and chose not do anything by relying on technical non-compliances. All in all, the decision is not favourable to the insurers because by not immediately scheduling insurer examinations to address the issue of catastrophic designation, the insurers risk exposing themselves to substantial interest judgments down the line.

Silver Lining

The silver lining in this decision is that the application judge restricted his decision to the particular facts of the case before him, explaining that “this ruling is meant to apply only to the narrow factual situation before

The appellate judge indicated that the applicant had been catastrophically impaired since the accident and that as such the insurer should have paid and continued to pay the applicant benefits up to the catastrophic impairment ceiling and beyond the 104-week period.

the Court; it is not to apply more broadly to allow any insured to obtain interest on amounts left unapplied for after 104 weeks.”



Bogdan has a wide litigation practice, and routinely acts on behalf of a number of insurers with respect to a variety of insurance matters. His practice focuses on accident benefits, tort liability claims,

and personal injury.

Prior to attending law school, Bogdan worked as an Accident Benefits Adjuster for a leading Canadian insurance company. During this experience, he developed a particular interest in accident benefits, motor-vehicle tort, and insurance law.

In his spare time, Bogdan enjoys catching up on current political affairs. He is fluent in the Serbian language, and is a passionate chess player.

WP



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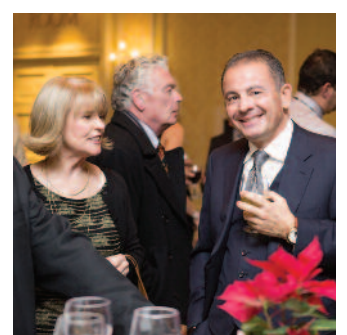
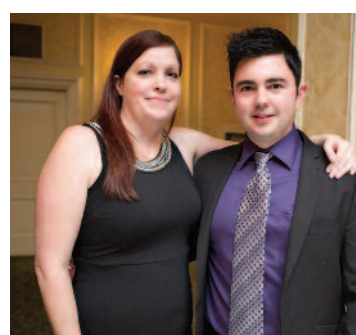
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OIAA HOLIDAY PARTY 2016

December 14, 2016, Fairmont Royal York, Toronto





See more OIAA Holiday Party photos on page 60.

OIAA HOLIDAY PARTY 2016

December 14, 2016, Fairmont Royal York, Toronto

For those of you who attended "See you at the Soiree" at the Fairmont Royal York, we are sure your night was filled with fun and laughter. 1000 of our closest friends took over the Canadian Room for an amazing meal, and then we carried on the festivities in the Ontario Room where we enjoyed cocktails, and dancing. Between the beautiful and historical backdrop of the Fairmont Royal York and the elegant decorations including the ice sculpture it truly was a magical evening. As the photographic evidence will prove, we had a great time mingling with each other, and dancing the night away. All the guests looked first rate, dressed in either their Great Gatsby themed costumes or in their holiday best. Congratulations to Marco from Centric Investigations, the winner of our Great Gatsby themed contest.

We would like to thank our valued sponsors and partners for this Christmas Party: Access Restoration Services, Centric Investigation Services Inc., Davis

Martindale Accountants, HRYCAY Consulting Engineers, Itech/STRONE, McTague Law Firm, Nu-Trend Construction, PuroClean Canada, Relectronic-Remech Inc., RocMar Engineering Inc., ServiceMaster Restore Canada, Torkin Manes LLP and Xpera/ESM. Without their graciousness and generosity, the magnitude of this event would not be possible. We would also like to thank our committee member, Cindy Bridge for all of her hard work in making this event such a huge success.

Through the generosity of our guests, just under \$10,000 was raised and donated to The Alzheimer Society. Thank you to everyone who attended this memorable evening and we look forward to seeing you at next years Holiday Party.

Mike Hoffman/Johanna Rienzo
OIAA 2016 Christmas Party Chairpersons

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The 'Understanding' Series for Adjusters

To meet the needs of today's p&c industry and advance your career... you must stay on top of industry best practices.

The 'Understanding' Series for Adjusters provides deeper insights to improve the servicing of claimants—resulting in better-adjusted claims.

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GTA Office March 2-3

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Utilize the best practice steps needed to lead a fulsome claims investigation and coverage analysis - resulting in better handled claims, minimized leakage costs, and more satisfied clients.

GTA Office Stay tuned for date

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Learn how to more effectively manage bodily injury claims through an in-depth look at the main principles and concepts, including presenting the claim, investigating exposures and more.

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To register your interest in these programs, please contact your local IIO Chapter.

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OIAA TORONTO DELEGATE ELECTIONS 2017

Here's an opportunity to get involved with your Association and to be an integral part of shaping the future for Adjusters!

Would you like to be a part of the Ontario Insurance Adjusters Association? We are the largest provincial adjusters association in the country and have an 86 year history. We are looking for dynamic forward thinking individuals to join our team as we move forward with the 2017/2018 year.

We are seeking nominations for two Toronto Delegate positions each for a 2 year term commencing August 1, 2017 through to July 31, 2019. As a Toronto Delegate you will be responsible to actively recruit, engage, and educate adjusters in the GTA as to the benefits our Organization provides. You will be eligible to work on a variety of committees such as our monthly WP publication, Canada's largest Claims Conference, Christmas Party or Training and Education to name a few.

The experience you will gain and the relationships you will forge will benefit you in both your professional and personal life.

If you are an OIAA member or know of an OIAA member interested in running for this position, please contact **Catherine Groot** at ccgroot056@gmail.com.

Elections will be held in Toronto on March 8th, 2017. Further details shall follow.

New Members

The following were approved as active new members in November 2016

NAME	COMPANY	CITY	CHAPTER
HILLIS, Sloane	L.V. Walker & Associates Insurance Adjusters	Oshawa	Kawartha/Durham
MARTINSEN, Margaret	The Commonwell Mutual Insurance Group	Lindsay	Kawartha/Durham
CARLEY, Rebecca	Economical Insurance	Waterloo	Kitchener-Waterloo
MARCOUX, Conar	Crawford & Company (Canada) Inc.	Ottawa	Ottawa
BOLLAND, James	Cunningham Lindsey	Mississauga	Toronto
OGUNLEYE, Ben	Cunningham Lindsey	Richmond Hill	Toronto

People On the Move

If you are a current member of the OIAA and have changed employment recently.

We can announce it free of charge in this "**People on the Move**" section.

Send us your name, new company name, new position and contact information.

Submit to Shawna Gillen at: **Shawna.Gillen@aig.com**

All submissions meeting the above criteria will be considered.

If you would like to include a photograph with your announcement, a charge of \$60.00 + HST applies.

Please also note that the announcement cannot exceed 30 words. If you would like submit a more detailed announcement, regular advertising rates apply.

OIAA Calendar of Events around the Province

MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY
JANUARY	HAPPY NEW YEAR!			6
9	10	11	12	13
16	17	18 Thousand Islands Chapter, Educational Luncheon at Mino's Greek Restaurant - Appraisal Process, Presented by Baldwin Law LLP	19 Kawartha Durham Chapter, Annual Dart Tournament London Chapter, Chili Cook-off / Trivia Night at the German Canadian Club	20 Niagara Chapter, Curling Bonspiel, St Catharines Golf and Country Club. Windsor Chapter, WFCU Hockey Rink
23	24 Ottawa Chapter, Past President's Night at the Canadian Tire Centre	25	26 Kitchener/Waterloo Chapter, Contractor's round table discussion – Golf's Steakhouse	27 Hamilton Chapter, Curling Bonspiel, Burlington Golf & Country Club
30	31 OIAA 2017 Claims Conference Metro Toronto Convention Centre	2017 OIAA Claims Conference, January 31, 2017 Register online at: www.oiaa.com For further information, please contact Rhu Sherrard @ rhu.sherrard@scm.ca		

Upcoming Chapter Events

February 4, 2017

London Chapter,
Family Event at the Boys & Girls Club

February 23, 2017

Windsor Chapter, Chili Cook-Off

February 23, 2017

Kitchener-Waterloo Chapter,
Accident Benefits Update
at Golf's Steakhouse in Kitchener

Please visit
www.oiaa.com
 for more upcoming
 chapter events

UPCOMING OIAA EVENTS

Mark these dates down on your calendar

DON'T MISS THEM!

March 8, 2017

Toronto Delegate Elections - Location TBA
 Guest speaker - John Scott, MVP and
 winning captain of the NHL's Allstar game

May 4 & 5, 2017

Provincial Claims Conference in Waterloo

All events are listed in our *WP* magazine. Each event will have registration on our website prior to the event – please watch for the details on our website www.oiaa.com or in the *WP* magazine for more details.

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WELCOME TO THE OIAA 2017 25TH ANNIVERSARY PROFESSIONAL DEVELOPMENT AND CLAIMS CONFERENCE



On behalf of the Ontario Insurance Adjusters Association, I am very honoured to welcome everyone to our 25th Anniversary Professional Development and Claims Conference.

This year's conference will provide opportunities for professional development, education and networking with various insurance professionals, vendor partners and students in the insurance programs.

We have done our utmost to provide our members and guests with opportunities to reacquaint themselves with their peers and various industry professionals, explore and access new skills and resources. We are hosting 9 Educational and Informative Seminars throughout the day, at 9:00am, 10:30am and 2:00pm exploring leading edge insurance issues and developments in the industry covering a wide variety of topics.

The "new" exhibit floor opens at 10:00am with a new format and look. Please make your way through both exhibit halls to find new and exciting exhibitors and entertainment provided by Rosewood Duo and Steel River Duo. The OIAA will be hosting a photo booth to commemorate our 25th Anniversary.

I'd like to take this opportunity to thank all the exhibitors, speakers and sponsors for their time, expertise and ongoing commitment to make the event the largest claims conference in the province.

The Job Fair is hosted by the OIAA which includes our various insurance partners and will provide a great exchange of insurance opportunities and interaction between the students and professionals in attendance.

The Mix & Mingle will be held from 3:00pm to 4:00pm and will solidify the day with a chance to meet and greet some experienced professionals, and get acquainted with new ones.

Putting together the OIAA Professional Development and Claims Conference day, is an enormous undertaking that brings together all aspects of the industry including the OIAA members, vendor partners, students and the Executive Members on our team. I would personally like to thank Ian Gallagher, President of the OIAA, for his ongoing support and his unfailing trust in me. The Executive team including Jennifer Graham, Job Fair, Catherine Groot, Mentor, Carrie Evans, Educational Seminars, Jackie Johnston, Business Manager and the Claims Conference committee members Cindy Bridge and Craig Ozog. This event is definitely a team effort.

We are extremely grateful to all our sponsors for their ongoing support to ensure the day is a success. We encourage you to thank them in person and let them know how much they are appreciated.

I look forward to meeting and greeting all the participants and attendees in the New Year - January 2017.

Rhu Sherrard, CIP

Chairperson - 2017 25th Anniversary Professional Development and Claims Conference

OIAA 2016-2017 Executive Council

President: IAN GALLAGHER, CIP

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2nd Vice-President: MICHAEL McLEOD, CIP

Treasurer: LEANNE HARDMAN, BSc. Hons., CIP

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MATTHEW RIENZO

Windsor: MIKE HOFFMAN, BA, CIP, CRM

The 2017 OIAA Professional Development & Claims Conference is organized and managed by the:

Ontario Insurance Adjusters Association 29 De Jong Drive, Mississauga, Ontario L5M 1B9 Tel: (905) 542-0576 Fax: (905) 542-1301
A special thank-you to the following members of the 2017 Conference Committee and Seminars and Education Committee for their efforts in organizing this event: Rhu Sherrard, Carrie Evans, Cindy Bridge, Craig Ozog, Stephen Tucker, Mike Hoffman and Jackie Johnston.

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We would recommend that if you are an exhibitor to check with your marketing team to ensure that you are properly registered.

All others must pay a \$250.00 (plus HST) entrance fee for the day's activities.

Below is the definition of an Insurance Professional for the purpose of the OIAA's Claims Conference.

INSURANCE PROFESSIONAL

- Insurance brokers & agents
- Students enrolled full time at Fanshawe College, Mohawk College, Seneca College and Conestoga College.
- Adjusters, managers, supervisors of insurers/self insurers
- Supervising staff of independent adjusters, business development staff of independent adjusters
- Claims managers
- Members of ORIMS
- WSIB adjudicators
- Sickness & Health care insurer adjudicators
- Risk managers
- Re-insurers
- Staff of the Financial Services Commission of Ontario
- Insurance Bureau of Canada
- Insurance Institute of Ontario/Canada.

We would like to thank our sponsors...





Agenda at a Glance

Wednesday, January 31, 2017

Metro Toronto Convention Centre, Constitution Hall & Room 104

10:00 a.m. - Coffee

Two coffee-break stations are located on the trade show floor

Sponsors: **EMRG** and **HRYCAY Consulting Engineers**

10:00 a.m. - Exhibit Hall Opens

SEMINAR A 9:00 – 10:00 a.m. Room 201BD

Accident Benefits, A Year in Review: There's no going back so let's make the most of the LAT

Presented by Kadey Schultz, LL.B., LL.M., founding Partner of Schultz Frost LLP

SEMINAR B 9:00 – 10:00 a.m. Room 201EF

Additional Insureds and Indemnity Agreements: Just When You Thought It Was Safe To Go Back in the Water

Presented by Chris Dunn, Partner, Dutton Brock LLP

SEMINAR C 9:00 – 10:00 a.m. Room 103AB

Solving the Mysteries of Condominium Insurance - An Update

Presented by Marg Crawford, FCIP, Quelmec Insurance Adjusters

ENTERTAINMENT 10:30 a.m. - 3:30 p.m.

Rosewood Duo and Steel River Duo

Sponsors: **Evolve Assessments & Diagnostics** and **GUS Group**

SEMINAR D 10:30 – 11:30 a.m. Room 201BD

Casualty Update: A Year In Review

Presented by Ian Gold, LL.B. and Adam Bucci, B.A. (Hons), J.D., Thomas Gold Pettingill LLP

SEMINAR E 10:30 – 11:30 a.m. Room 103AB

The Perfect File

Presented by Stephanie Beattie, The Center for Disaster Recovery

SEMINAR F 10:30 – 11:30 a.m. Room 201EF

Uber and Marijuana - managing the risks in order to avoid loss

Presented by Z. Linda Papadopoulos, B.Sc., C.I.P., C.C.I.B., C.R.M., Pearson Dunn Insurance

SEMINAR G 2:00 – 3:00 p.m. Room 201BD

Fort McMurray From All Angles

Presented by Stephen Hansen, FCIP, Crawford Canada, Paul A. MacDonald, B.A. (HONS), LL.B, MBA, CRM, RSA Canada
Emily Stock, B.Sc. (Engineering), LL.B., M.B.A., Stieber Berlach LLP,
Shane Swinson, First on Site
Moderated by Catherine Groot, BA, CIP, CFEI, York & Associates

SEMINAR H 2:00 – 3:00 p.m. Room 201EF

Sidewalks, Roads and Sewers, oh my...

Presented by Lee-Ann Vansteenkiste, B.A.(Hons), CIP, ClaimsPro

SEMINAR I 2:00 – 3:00 p.m. Room 103AB

Game of Drones: Coverage and Liability Issues Surrounding UAVs

Presented by Dara Lambe, Partner, Lerner LLP

MIX AND MINGLE 3:00 – 4:00 p.m.

Sponsors: **Brown & Beattie LLP**, **Davis Martindale Accountants**, **Distinctive Engineering Inc.**, **ENVISTA Forensics**, **PMAC**, **STRONE-Itech**, **ROAR Engineering**, **Schultz Frost LLP**, **Zarek Taylor Grossman Hanrahan LLP**

4:00 pm: Exhibit Hall Closes



PASSPORT

**A Chance for a Member
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Compliments of the OIAA**

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Using the form provided, enter the booth number,
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the exhibit floor entrance by 3:00 p.m.

Good luck and enjoy the show!

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OIAA 2017 Professional Development & Claims Conference Seminars

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SEMINAR

A

Accident Benefits, A Year in Review: There's no going back so let's make the most of the LAT

Presented by **Kadey Schultz, LL.B., LL.M.**, founding Partner of Schultz Frost LLP

Join us for a lively seminar focusing on the dispute resolution and regulatory changes that came into effect in 2016. We will assess the LAT processes and emerging case law, while discussing the impact of these changes on strategic adjusting of Accident Benefits matters. From Medical Marijuana, claiming costs on frivolous and vexatious LAT Applications, to adjusting the new CAT definition and Non-Earner Benefit, this seminar will hit the hot topics to help you leverage the new SABS through uncertain times.



Kadey B.J. Schultz, LL.B., LL.M.

Kadey is a founding Partner of Schultz Frost LLP, and is a recognized expert in the field of insurance defence litigation, most known for her SABS, anti-fraud and complex tort/BI work. She partners with insurers and self-insured entities to mitigate and defend a variety of insurance claims. Kadey is an adjunct professor at the Faculty of Law, University of Windsor and in 2015 was awarded the Lexpert Rising Stars Top 40 under 40 Lawyers in Canada Award.

SEMINAR

B

Additional Insureds and Indemnity Agreements - Just When You Thought It Was Safe To Go Back in the Water

Presented by **Chris Dunn, Partner, Dutton Brock LLP**

- An update on recent case law dealing with additional insureds/indemnity agreements, including *Carneiro v. Durham*
- Does the insurer lose the right to appoint and instruct defence counsel for an additional insured?
- Can the insurer appoint a single defence counsel for the named insured and the additional insured?
- The overlap between additional insured coverage and indemnity obligations of the named insured



Chris Dunn

Chris has been a partner at Dutton Brock since 2005, after joining the firm as an associate in 1998. Chris was also called to the British Columbia Bar in 1996.

Chris' practice involves advising insurers, brokers, corporations and individuals on insurance and reinsurance coverage issues with a particular focus on commercial general liability policies. He has argued coverage matters on behalf of insurers at all levels of court in Ontario.

He also represents insurers, reinsurers, brokers and corporations in first and third party liability claims. Chris is nationally published in the field of insurance law, having co-authored sections on the insurance contract and motor vehicle insurance for the Insurance Bureau of Canada's re-write of the Canadian Encyclopedic Digest's Insurance Law text. Chris is a regular contributor to insurance industry publications and lectures frequently on insurance coverage, tort liability and risk management issues.

SEMINAR

C

Solving the Mysteries of Condominium Insurance - An Update

Presented by **Marg Crawford, FCIP, Quelmeac Insurance Adjusters**

Condominium Insurance has got to be the most misunderstood line of Insurance. Whether it is from the prospective of the Condominium Corporation's Master Policy or the Unit owner's policy, nothing can be as confusing to the affected parties. Which insurer pays for what damages will be clarified and hopefully the "Mystery" will be taken out of Condominium Insurance. As well the new Ontario Condominium Act will come into law soon. We will provide information on how the changes effect insurance coverage and/or interpretation.



Marg Crawford, FCIP

Ms. Crawford started her insurance career with Co-operators Insurance where she worked for 19 years. She handled senior level claims in all lines. Ms. Crawford joined Quelmeac in 1990 and has continued to handle all lines of senior level claims. Ms. Crawford has developed an expertise in the handling of various areas of claims including Condominium claims both for the Condominium Corporation's insurers and the Unit Owner's insurers. Ms. Crawford is a past Chairperson of the Insurance Institute, Ottawa Chapter and served as Board Member for many years. She has also served on the executive of the National Society of Fellows and is an instructor for the Insurance Institute of Canada. Ms. Crawford has presented various seminars for the local Insurance Institute chapter including ones on the understanding of Condominium claims. She has served in various capacities on the Board of Directors for her own Condominium Association. Ms. Crawford is a Fellow, Chartered Insurance Professional.

OIAA 2017 Professional Development & Claims Conference Seminars

ADJUSTER EDUCATION IS OUR PRIORITY

SEMINAR

D

Casualty Update: A Year in Review

Presented by **Ian Gold, LL.B.** and **Adam Bucci, B.A. (Hons), J.D.**, Thomas Gold Pettingill LLP

In 2016, we saw a variety of important insurance-related issues litigated at various levels of our court system. In this session, Ian Gold and Adam Bucci of Thomas Gold Pettingill LLP will discuss the major decisions of the year, along with the impact these cases will have on the insurance defence industry as a whole.



Ian Gold, LL.B.

Ian Gold is a founding partner in Thomas Gold Pettingill LLP. He is a skillful civil and commercial litigator having extensive trial experience with judges and juries. His practice spans all fields but emphasizes complex insurance litigation. Ian has handled all matters of insurance and insurance coverage cases on behalf of policyholders and insurers including professional malpractice, property and casualty claims, class actions, and environmental litigation.



Adam Bucci, B.A. (Hons), J.D.

Adam is an associated at Thomas Gold Pettingill, LLP. He joined the firm in 2013 and works primarily in the insurance defence group working on motor vehicle, property, casualty and liability claims. Adam attended Osgoode Hall Law School, where he obtained his J.D. in 2011. He was called to the Ontario bar in 2012.

SEMINAR

E

The Perfect File

Presented by **Stephanie Beattie**, The Center for Disaster Recovery

The Perfect File is a systematic approach to building a file that gets you paid!

Learn about the 5 key parts of a file, understand the 7 elements of a claim that matter most to the insurance company, manage the customer expectations. Understand why the insurance company WON'T pay for certain items and what really matters to them most. Learn to create a file that includes all data in a seamless approach

This session will be sure to deliver and will provide the mitigation contractor with key take aways to get paid and on time!



Stephanie Beattie

Stephanie Beattie is the founder and CEO of The Center for Disaster Recovery. She runs the largest independently owned and operated certification and training facility in Canada. She is also the creator of The Perfect File™ and branding expert for Mitigation First™. She not only maintains several master designations in the restoration field, but is also an approved certified credentialing specialist in Canada, she additionally consults for the Insurance Bureau of Canada and is a published author in our industry. She is sought after as one of the foremost experts in property claims and is known for her no holds barred approach.

SEMINAR

F

Uber and Marijuana - Managing the Risks in Order to Avoid Loss

Presented by **Z. Linda Papadopoulos, B.Sc., C.I.P., C.C.I.B., C.R.M.**, Pearson Dunn Insurance

- Main Insurance Exclusions found in policies regarding Marijuana and Uber;
- Managing the risks;
- Available insurance options if any for transferring such risks.



Z. Linda Papadopoulos, B.Sc., C.I.P., C.C.I.B., C.R.M.

As the Vice President of Corporate Risk Management at Pearson Dunn Insurance, Linda develops risk management and insurance solutions in order to best manage significant and developing risks for her organization and clients which include municipalities, educational and healthcare institutions, manufacturers, financial institutions and other clients with diverse and global operations. She is an instructor of the Risk Management courses at McMaster University and in 2013 developed and introduced the first on line versions of these courses. Linda has presented Workshops and Seminars on various insurance and risk management topics to such associations and organizations as the Excellence in Manufacturing Consortium, Insurance Brokers Association of Hamilton, the Insurance Institute of Ontario, Society of Public Insurance and Risk Management Administrators and the Hamilton Law Society. She has a Bachelor of Science in Business Administration, her Chartered Insurance Professional, Certified Canadian Risk Manager and Canadian Chartered Insurance Broker designations.

SEMINAR

G

Fort McMurray from all angles

Presented by Stephen Hansen, FCIP, Crawford Canada, Paul A. MacDonald, B.A. (Hons), LL.B, MBA, CRM, RSA Canada, Emily Stock, B.Sc. (Engineering), LL.B., MBA, Stieber Berlach LLP, Shane Swinson, First on Site
Moderated by Catherine Groot, BA, CIP, CFEI, York & Associates

Fort McMurray is a cautionary tale; what happens when an entire community is affected by a major catastrophe? Mass evacuation, remote location, ongoing danger, co-ordinating with different levels of government, NGO's and policy holders created a unique situation that required unique solutions. What were our accomplishments, where was the lack of success and where are we now? How can we, as an industry learn from this?



Paul A. MacDonald, B.A. (Hons), LL.B, MBA, CRM
Paul MacDonald was appointed Chief Claims Officer and SVP, Claims at RSA Canada in October 2015 with the responsibility of leading, directing, and overseeing Claims operations across Canada. He previously held a number of senior positions within the insurance industry and led large-scale projects in business transformation and integration, product and distribution strategy, and client segmentation.



Emily Stock, B.Sc. (Engineering), LL.B., MBA
Emily Stock is a insurance litigation lawyer at Stieber Berlach LLP. Her focus is in complex claims in the areas of construction and financial services. She provides coverage opinions and assist insurance companies in defending and managing complex claims.



Shane Swinson
Shane Swinson is the Senior Vice President of the Insurance Portfolio at FirstOnSite, he is responsible for all insurance related partners across Canada. His focus has been to identify key expectations for our insurance partners and develop solutions. Shane has been with FirstOnSite for approximately 2 years where he came from GUS Restoration as the Senior Vice President of Marketing and Sales.



Catherine Groot, BA, CIP, CFEI
Catherine started her insurance career in Calgary in 1991 at the Guardian Insurance Company. She has been an independent adjuster since 2001 and is licensed for all lines. She is the 2016-2017 OIAA Past President.



Stephen Hansen, FCIP
Steve Hansen is employed with Crawford Global Technical Services in the role of Executive General Adjuster. With a home base in Edmonton, Alberta, he primarily adjusts first party losses for Insurers within the Northern Half of Alberta. The events of early May 2016 in Fort McMurray have placed Steve as the lead adjuster on several high profile incidents, including the complete loss of two condominium corporation developments, and the task of coordinating the effort to restore hospital services within the Fort McMurray region.

SEMINAR

H

Sidewalks, Roads and Sewers, oh my

Presented by Lee-Ann Vansteenkiste, B.A.(Hons), CIP, ClaimsPro

In this seminar, we will explore the nuances of municipal liability claims as they relate to roads, sewers and sidewalk claims. The participant will walk away with a good understanding of the basics of best practices for investigation, notices and what is needed for pro-active, early, and thorough file handling.



Lee-Ann Vansteenkiste, B.A.(Hons), CIP
Lee-Ann Vansteenkiste has been in the insurance industry for 21 years. She obtained her degree in Law and Women's Studies from Carleton University in 1995 and has her CIP. Lee-Ann has an all lines adjusting and management background at various levels including stock companies, a mutual company and National Independent Adjusting firms. Lee-Ann currently manages the London office of Claimspro. Lee-Ann is an active member of the Insurance Community. She was chair of the task force that developed the recent CIP advance program, has assisted in the writing, development and facilitation of the "Understanding Series" offered through the Insurance Institute, and develops and facilitates many training programs for insurers. Lee-Ann has also been involved in the OIAA at the local level and provincial level for a combined 13 years.

SEMINAR

I

Game of Drones: Coverage and Liability Issues Surrounding UAVs

Presented by Dara Lambe, Partner, Lerner's LLP

This presentation will provide a comprehensive overview of the explosive growth of drone use in Canada and the resulting consequences. Regulatory frameworks, potential for civil liability and coverage issues will be discussed.



Dara Lambe
Dara is a partner at Lerner's LLP working in the London office. Her practice is restricted to insurance law and health law. She provides coverage advice and litigation services to insurers in the areas of personal injury, property damage, construction, aviation law, privacy law and professional liability.

Exhibitor Booth #

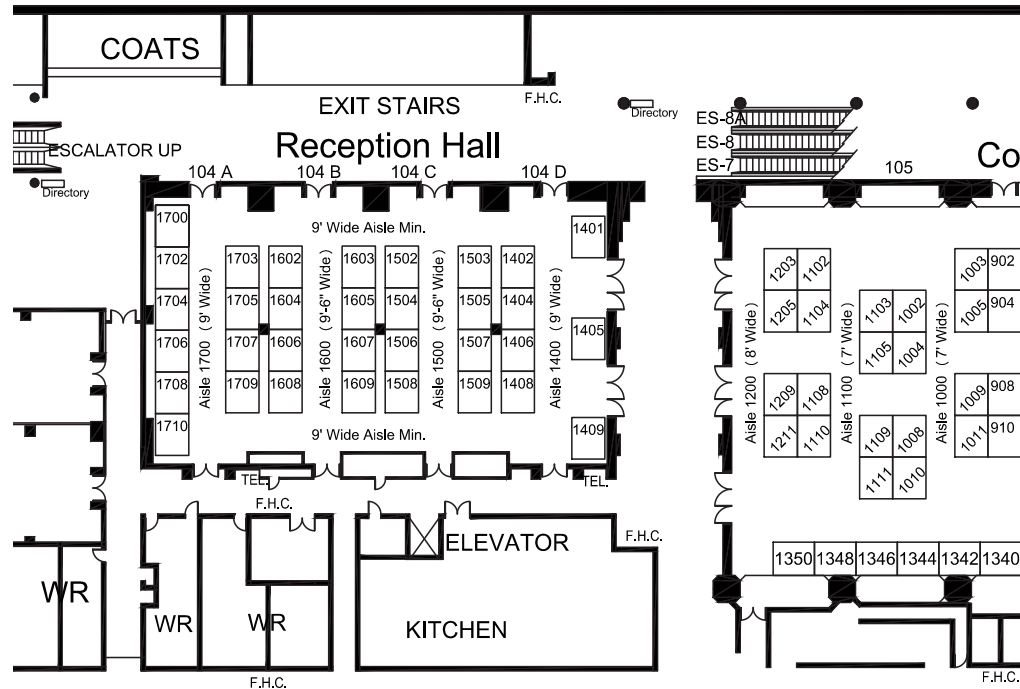
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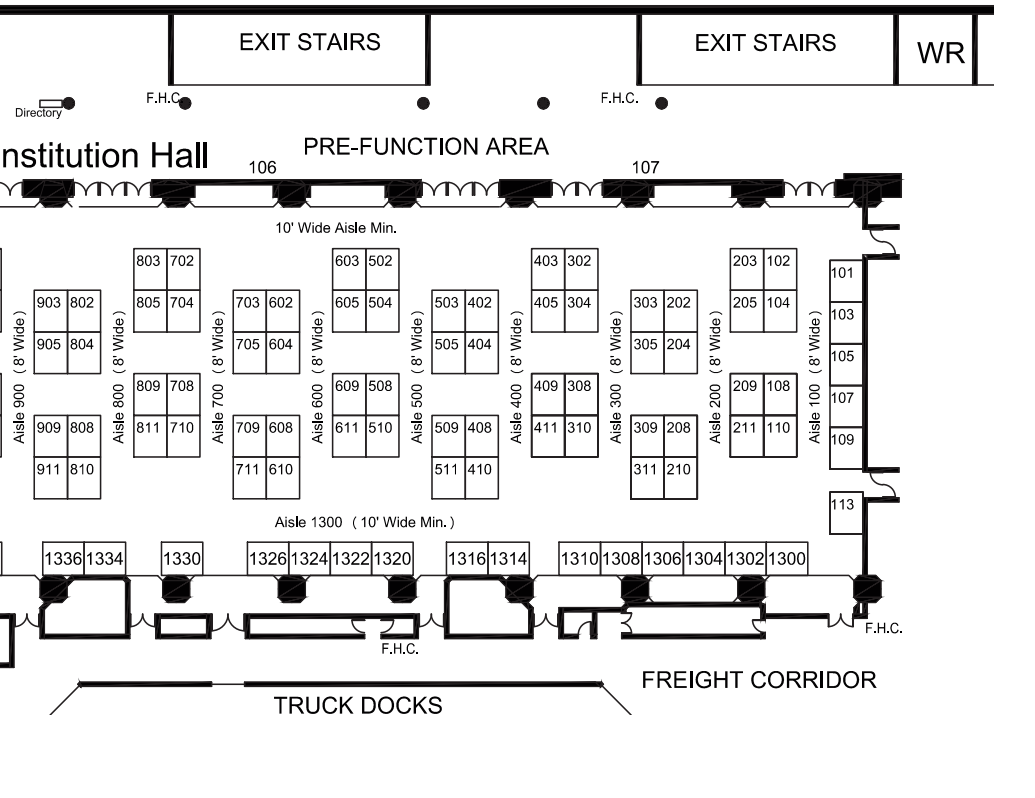
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May 5

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Hoarding – Digging out from under the exposure

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OIAA 2016 Past Presidents and Honorary Life Members Night

October 12, 2016, Sandman Hotel Airport Toronto

The OIAA Past President's and Honorary Life Members Night was held on October 12, 2016 at the Sandman Signature Hotel in Toronto. The Past Presidents and Honourary Members were piped in to their seats which is an annual tradition to pay tribute to those who have given so much to the association. OIAA President, Ian Gallagher presented our current Past President, Catherine Groot with a bound book containing all of the issues of the *WP* from her 2015-2016 year. We were then entertained by the comedian, Simon B. Cotter.



2017 New Year's Resolutions

1. Hold industry
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2. Surpass
assignment
cycle times

3. Further reduce
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& Business
Interruption

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Managing Environmental Liability in Multi-Vehicle Commercial Trucking Losses



By Robert Foote, PMP, CET, CESA, Senior Project Manager, EFI Global

If you are reading this article, you probably have some experience in dealing with losses related to motor vehicle accidents that result in spillage of petroleum hydrocarbon (PHC) products (e.g. diesel fuel, gasoline, motor oil or PHC-based liquid cargo). In cases where your insured suffers a vehicular mishap and spills such products, the issue of liability for environmental remediation is pretty straightforward – you must clean up what you spill.

In cases of multi-vehicle losses, your exposure quickly becomes a much more complex issue. If you do not collect the right information during the very brief time it is available, you could end up paying more than your fair share.

That sounds easy enough, and in most cases it is, but what happens in cases where multiple source vehicles are involved? In cases of multi-vehicle losses, your exposure quickly becomes a much more complex issue. If you do not collect the right information during the very brief time it is available, you could end up paying more than your fair share. Similarly, you could end up avoiding or reducing liability and have others share unfairly in cleaning up your losses. We will continue under the assumption that the appropriate outcome is to cleanup any product(s) that your insured has spilled – no more, no less.

This overview cannot cover all aspects of multivehicle environmental losses, but will identify a few major pitfalls/opportunities to watch out for.

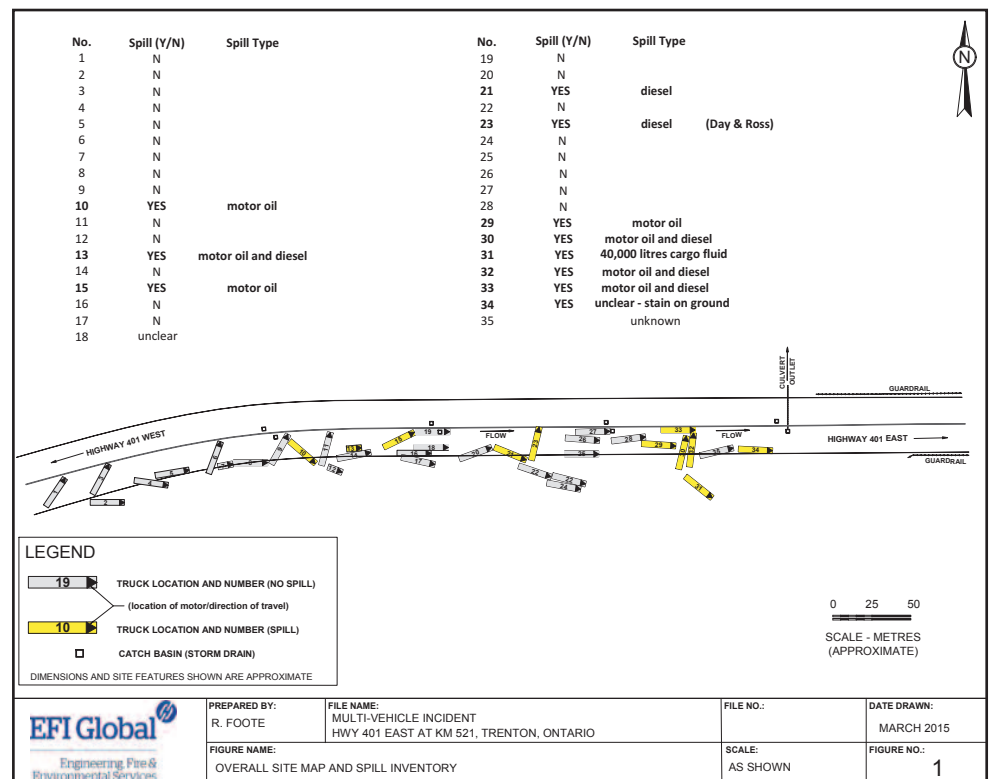
Let's use a real world example, to fuel the discussion

At approximately 12:10am on March 18, 2015, a multi-vehicle collision occurred on Highway 401 east bound, near Trenton, Ontario. This incident involved approximately 45-

50 vehicles, 35 of which were commercial highway tractor/trailers.

As can happen in the fast paced information age we live in, news of the incident was first received through social media, well in advance of the losses working their way through the

formal claim system. News media photos revealed at least two carriers which were identified as existing SOA clients, and it was considered to be in the best interest of these clients to view the scene as soon as possible and take whatever action possible to reduce our



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clients' liability/costs.

As of approximately 9am, there had only been one involved commercial vehicle removed from the site. This was due to the east end of the accident scene being blocked by an overturned tanker, and the west end being blocked by numerous vehicles that had been stranded since the incident occurred. This situation proved to be an extremely important, and rare, opportunity.

Mapping and assessment of the accident scene was immediately undertaken, including extensive photographic evidence. A detailed inventory of the scene was generated within a couple of hours, and 11 commercial carriers were documented as having PHC-related losses. In total, 5 discreet areas and 2 areas of blended losses were identified. In the cases of blended losses, one consisted of diesel fuel spilled from 2 different carriers; the other was a mixture of fuel and/or motor oil and anti-freeze from 4 different carriers.

Despite some 8+ hours passing since the incident occurred, there had been no environmental remediation or assessment work performed prior to EFI's arrival. The local fire department had placed some granular absorbent on the roadway, but there were still active fuel leaks observed from 3 commercial vehicles on site. Once on scene, EFI immediately retained an emergency response contractor to address the active leaks, evacuate the remaining fuel from leaking tanks, place absorbents and generally halt any further losses or contaminant migration.

Concurrent to the emergency response site work, the 11 carriers who had confirmed environmental losses were contacted. 7 assignments resulted for EFI in this incident, including the two areas of blended losses (one with 2 con-

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tributing carriers and one with 4 contributing carriers). Remediation was completed over the next several days and, in all cases, these 6 carriers with blended losses realized substantial cost savings (approximately 50 – 75%) vs. the costs that would have been incurred if each loss had occurred individually, or if the losses not been properly managed as a shared remediation project.

Another critical component of the loss analysis was to take into account the dynamic nature of motor vehicle accidents and liquid losses, slope of the roadway, migration pathways and environmental receptors. That is, to consider that fuel/oil may not have been lost only at the point of impact or at the point where the subject vehicle(s) came to rest. It was recognized and documented that spilled liquids had combined as they migrated both on and off of the asphalt roadway, as well as within the storm drainage system.

For one of the carriers involved in the incident, soil sampling and laboratory analytical characterization determined they had not contributed to impacts beyond the asphalt surface. As a result, this carrier was absolved of a substantial portion of environmental costs. This fair reduction was only possible due to the information collected at the scene, prior to the involved vehicles being removed.

Given the scale and complexity of this incident, both the property owner (the Ontario Ministry of Transportation - MTO) and the regulatory authority (the Ontario Ministry of the Environmental and Climate Change - MOECC) were actively involved throughout the assessment and remedial works. Both the MOECC and MTO were seeking the responsible party(ies) to remediate all environmental impacts from this incident and neither entity was satisfied with any impacts being unas-

signed or attended to. One significant area of impact was not properly assessed or remediated on the first attempt by its owner and the MOECC initially requested a portion of these remaining impacts be remediated by a non-contributing carrier. After reviewing the preliminary assessment and documentation to confirm there was only one contributor to these impacts, the MOECC enforced the requirement for the proper carrier to return and complete remediation their own loss. Ultimately, 2 identified loss areas went unclaimed by their owners and the MOECC was pursuing both parties who refused voluntary involvement. In both cases, preliminary information protected other carriers from wrongful assignment of these impacts.

So, what can you do to manage your/your insured's

liability in multi-vehicle collision situations?

The best approach is to educate your insured to act quickly in advising you of any such losses. This is important because your insured will always be the best opportunity to gather evidence before the scene is disturbed. Train your adjusters and after-hours/call centre staff to ask the right questions and find out if an environmental loss may be occurring. In the event of a multi-vehicle incident, try to get a qualified environmental professional on scene as soon as possible to map and inventory any environmental losses, remembering that the window of opportunity to document the source(s) of loss will close very quickly. Getting a specialist on scene before vehicles are removed is often not feasible as the MTO (or local equivalent) and local/Provincial police



**“An investment in knowledge
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service will seek to satisfy their own mandates and have vehicles removed and the road reopened ASAP (especially on 400-series highways). If possible, have your insured's driver take a few photographs of the scene and document any (other) carriers who may have lost fuel or oil. If your insured's vehicle did not lose any fuel or oil, have them to take photographs of their own fuel tanks and the area beneath their truck to document the fact they did not contribute to any such losses. You can also request that the towing company inspect and photograph the fuel tanks and engine area of your insured's, and document any leaks/damage (or lack thereof). Just a few photographs on a cell phone may protect you (and your insured) from significant liability.

Who's loss is it, anyway?

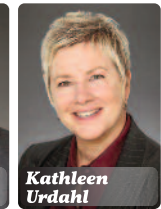
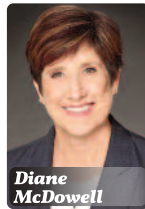


Robert is a Senior Project Manager for EFI Global, in Kingston, Ontario, with over 20 years' experience in environmental consulting and project management. Robert has responded to an extensive number of home heating oil and transportation related losses including direct involvement in the initial containment, prevention/mitigation and remediation of impacted soil/groundwater utilizing a variety of methods and technologies. Robert has directly managed the majority of these losses from emergency response through to successful project closure and reporting, including providing support to his clients and their legal counsel for subrogation purposes.

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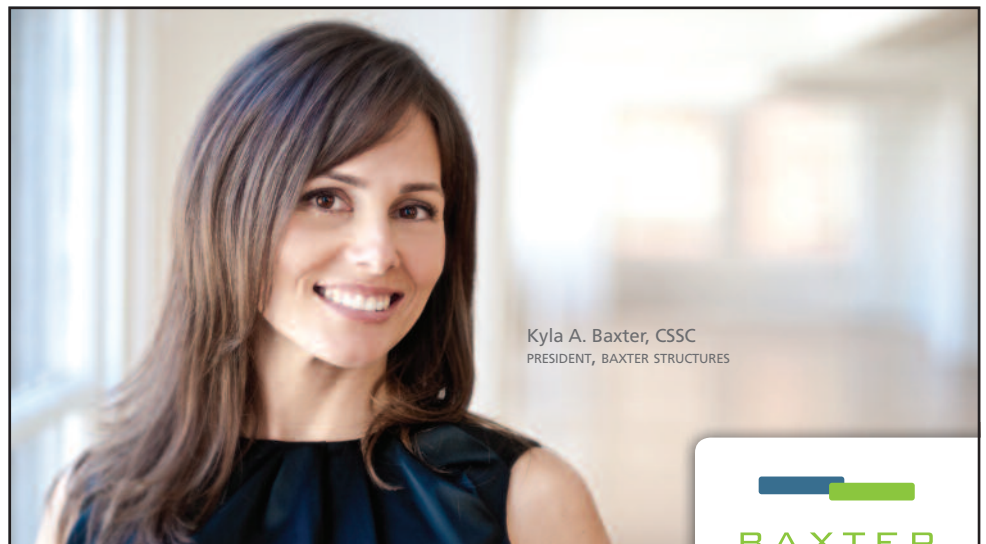
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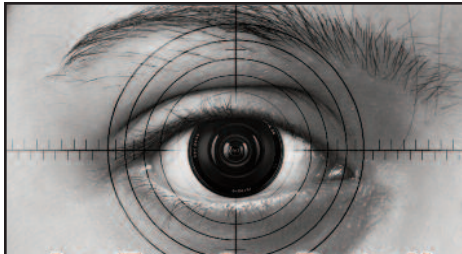
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In-Situ Project Cleans Contaminated Bedrock in Only Three Months

By Ronald Trivett, President of Golden Environmental Services

A furnace oil spill is devastating to all parties involved. To the property owner, it is not only a disruption of day-to-day life, but also a financial burden. For the insurance company, a spill represents a potentially significant expenditure that can continue for many years before being resolved, if ever. And, to the environmental consultants and contractors, it poses a host of challenges.



Traditionally, the industry has relied on a demolition, dig and haul, back-fill reconstruction model to address a furnace oil spill. This approach comes at a high price for everyone involved as no two sites are the same. But, there is an alternative method that is more cost-effective and less intrusive, while still meeting MOE standards.

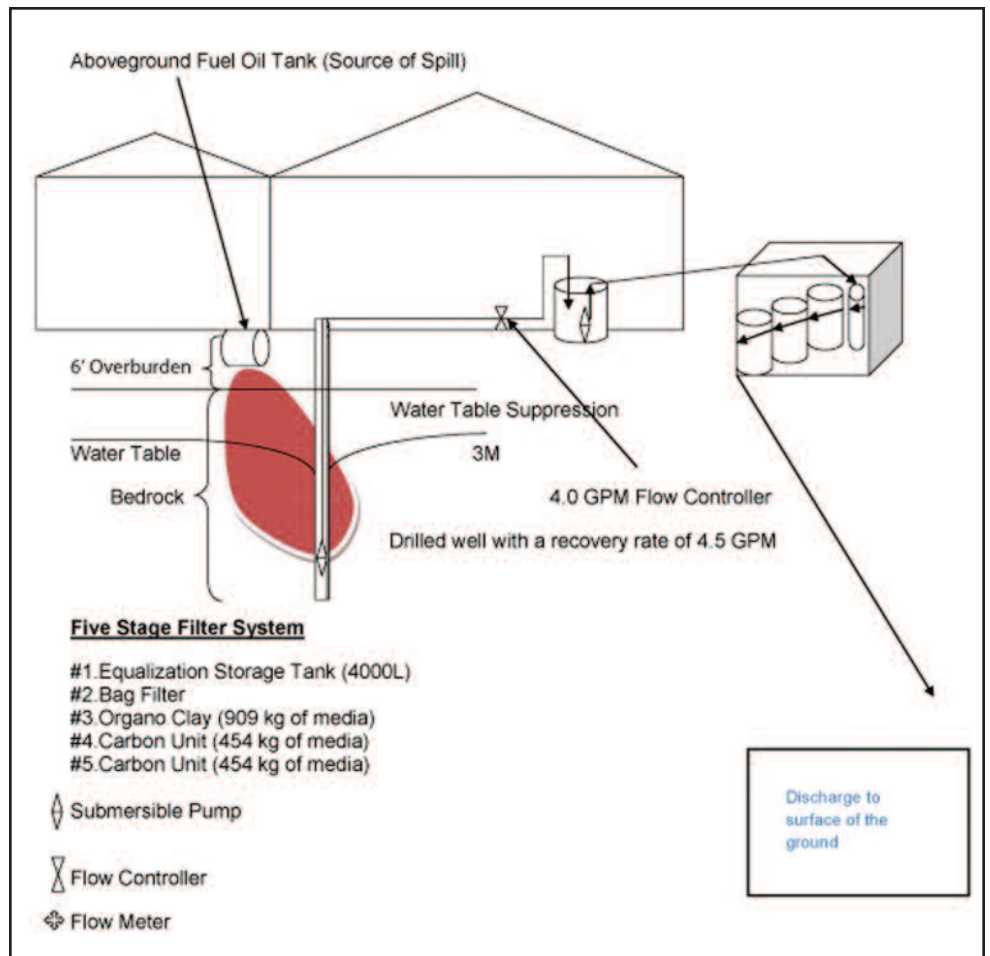
The challenge of remediating a site underlain with fractured bedrock occurred in May 2010. A spill of approximately 600 litres of furnace oil escaped to the natural environment at a residential property in Brockville, Ontario. The oil flowed into the homeowners' drilled water well from an above-ground fuel oil storage tank, located at the base of a stairwell adjacent to a garage. The following day, the owners first detected the spill when fuel appeared in their taps and toilet.

After the spill, the homeowner were under the impression from the various regulatory agencies and others involved that the house might need to be removed from its foundation and then brought back once the clean-up was completed. It was quite a relief to the homeowner when they were informed that uprooting from their home would not be necessary.

Emergency Action Plan

After reporting the spill to the appropriate regulatory agencies and the insurance company, approval was received to proceed with an in situ remediation solution. An emergency action plan was implemented, which included removing the fuel oil storage tank, cleaning the surficial spill area, and arranging an alternative temporary water supply for the homeowners.

A Phase II environmental site assessment was conducted by an



independent environmental engineering firm assigned by the insurance company. Nine boreholes were completed outdoors and indoors, which delineated the area of impairment, there was no soil impairment, only groundwater was affected by the spill. Three of the monitoring wells were developed as monitoring/

injection wells. Local trades were retained along with the expertise of two other companies to remediate the site, using alternative remediation technologies.

A dewatering system was installed in the spill area in order to contain the spill and subsequently enhance the chemical oxidation

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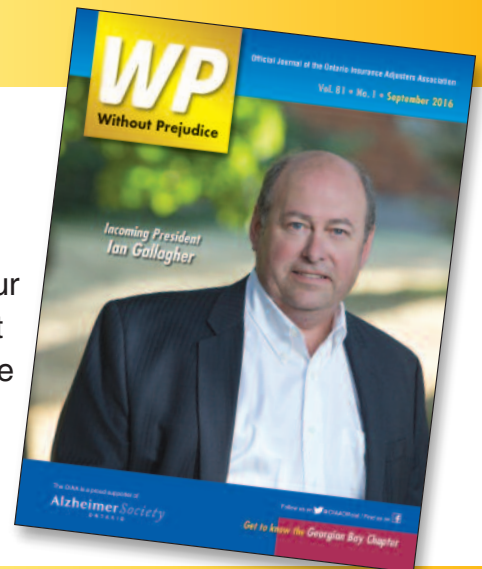
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process. A mobile treatment unit was used under a mobile certificate of approval in accordance with Section 53 of the Ontario Water Resources Act.

The water, which discharged from the existing well at a flow rate of 4 gpm (suppressing the water table), was governed by a flow volume controller into a 4,000 litre equalization tank (non-baffled). This tank acted as a buffer to the filtration system, and as an oil-water separation system, should raw product be discharged from the groundwater supply (infiltration well). A submersible transfer pump re-pressurizes the water, discharged to the organo-clay via a bag filter at 6 US gpm.

Water was then polished through two carbon filtration units before being discharged onto the surface of the ground at the back of the property. The flow rate/day was controlled at 2,450 US gallons, with flow rate range (when running) of 4 US gpm and a well recovery flow rate of 4.5 gpm.

A hydrogen peroxide was specifically formulated to address the heating oil component, taking into consideration the geology and hydrogeology at the site. The process involved introducing hydrogen peroxide product into three injection wells (in locations directed by the environmental engineer), followed by recirculating the product that was being drawn to the existing well and acting as an infiltration gallery.

There are three steps in the hydrogen peroxide process: application, oxidation and bio remediation. It is a fully integrated biological/oxidation process that destroys organic contaminants at a neutral pH, at an ambient temperature, and in a short period of time.

The injection wells were constructed specifically to handle frac-

tured bedrock and well-heads were fitted for direct injection. Hydrogen peroxide product was stored on the project site in polyethylene totes. A conventional chemical pump was used to inject the wells under moderate pressure to deliver product to the contaminated plume.

The process used a Fenton-like oxidation chemistry without the off-gases and soil damage. The controlled oxidation of hydrogen peroxide generates oxygenated organic molecules such as alcohols that aid in the desorption of contaminants from soil. This process greatly supports the oxidation process by bringing the contaminants into solution. For this site, the hydrogen peroxide



product was injected into the bedrock and flowed along the fractures of the original spill channels, releasing the hydrocarbon trapped in the bedrock.

The chemical oxidation process rapidly degraded hydrocarbon molecules. During the oxidation phase of the process, any

product not consumed as a chemical oxidizer is converted to molecular oxygen.

Results of the Remediation Strategy

The strategy was accepted by the homeowners as well as the insurance company. In total, 13,000 litres of hydrogen peroxide was used during the three injection events to

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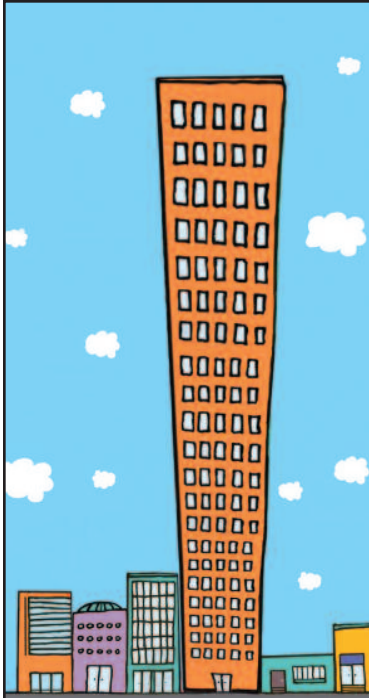
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remediate the site. Remediation was completed within three months, from the date of the first injection, to meet Table II of Ontario MOE Regulation 153.

The homeowners were very supportive of the remediation process. They said that, overall, the filtering of the oil-ridden well water through the mobile treatment unit, and then the use of hydrogen peroxide injections, did not lead to significant problems with daily life when considering the alternative choice of having to rebuild their home.

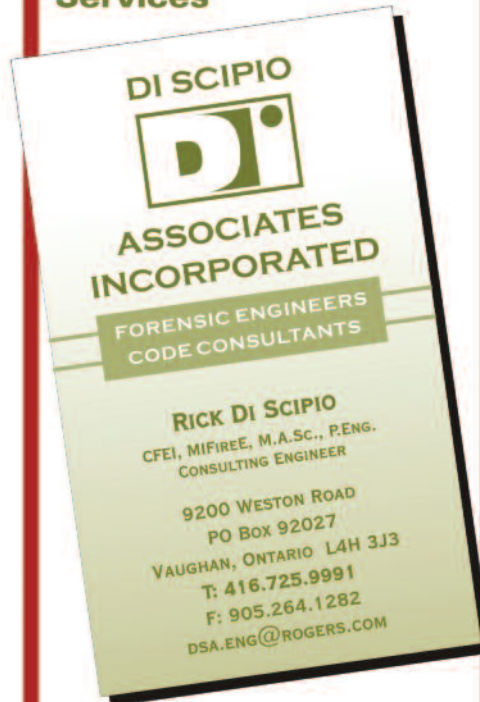
In this project, the homeowners remained in their home with minimal disruption to their daily routine, and the insurance company saved over \$1.5 million.



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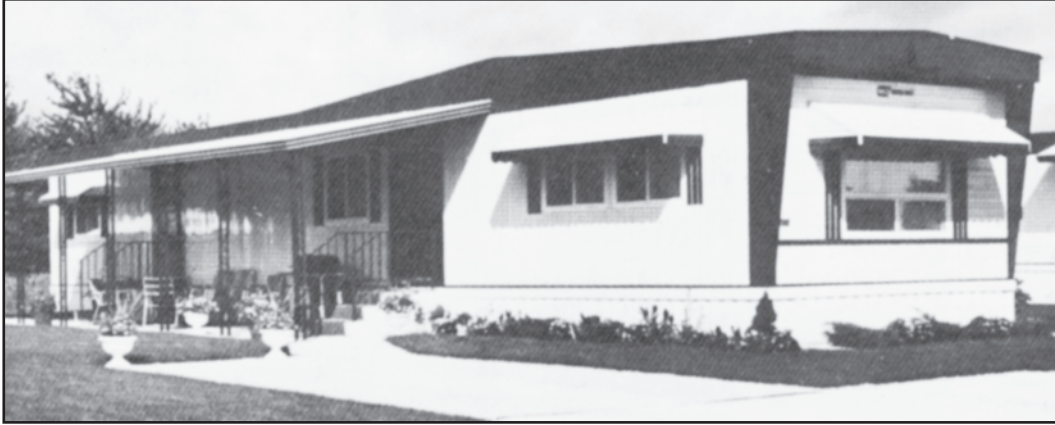
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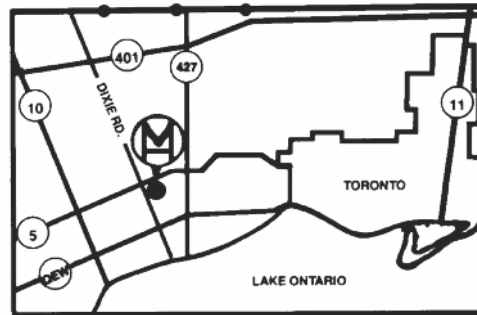


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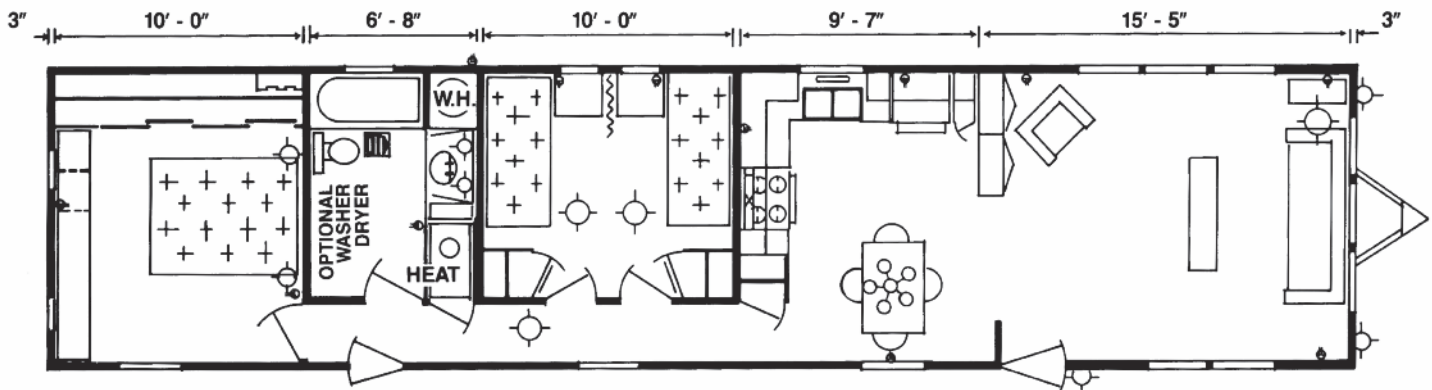
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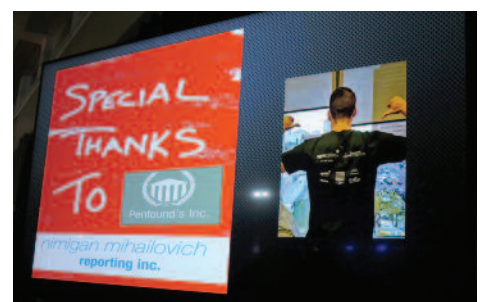
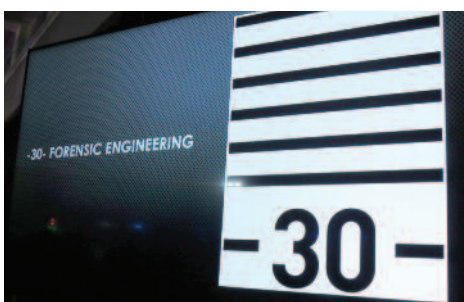
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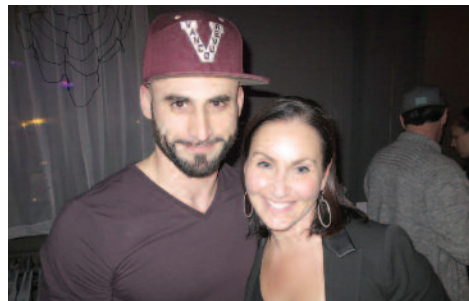


Carrie Evans

Roctoberfest 2016

Rocktoberfest 2016 was held at the Bay City Music Hall, Hamilton Harbour, on October 21, 2016. Hosted by Agro Zaffiro LLP and AssessMed. It was a fundraising event for Camp Trillium.





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The MDD American Thanksgiving was held on November 24, 2016 at the Real Sport Bar in Toronto. It was a fundraising event for the Starlight Foundation.





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