

October 7, 2016

Mr. Laurent Lessard  
Minister of Transport, Sustainable Mobility  
and Transport Electrification  
700, boulevard René-Lévesque Est  
29<sup>e</sup> étage  
Québec (Québec) G1R 5H1

**Subject: Draft Regulation to amend the Regulation respecting the reimbursement of certain expenses**

Minister Lessard:

Within the framework of its mandate, the Québec Ombudsman reviews all bills introduced in the National Assembly and draft regulations published in the *Gazette officielle du Québec*. When it deems necessary, it intervenes under section 27.3 of its constituting act, which empowers it to call the attention of the government or a chief executive officer of a public body to legislative, regulatory or administrative reforms it deems to be in the public interest.

I therefore read the draft *Regulation to amend the Regulation respecting the reimbursement of certain expenses*, published in the *Gazette officielle du Québec* on August 24, 2016. It proposes an increase in certain amounts reimbursed to road accident victims, easing of a requirement for expenses incurred for receiving psychological care or physiotherapy, and inclusion of the amount representing any applicable consumer taxes in maximum reimbursable amounts.

This updating of reimbursable expenses is relevant. Reimbursable dental fees, which have not been modified since 2002, come to mind in particular. In examining complaints from road accident victims dissatisfied with the gradual devaluation of the coverage of these expenses, the Québec Ombudsman has seen differences in the rates that citizens must cover that can be significant.

Sensitive to the legitimate need to control Société de l'assurance automobile du Québec costs, I feel that this goal must not be achieved through gradual and implicit devaluation of coverage. The purpose of my recommendation is to prevent the risk of such devaluation and its consequences for road accident victims.

**Whereas:**

The automobile insurance plan, with a capitalization rate of 122% in 2015, is financially sound;

Citizens have borne the adverse effects of differences in rates stemming from the failure to review insured amounts;

There is no provision for annual revalorization of all maximum insurable amounts prescribed in the *Regulation respecting the reimbursement of certain expenses*.

**The Québec Ombudsman recommends:**

**R-1 That a section providing for annual revalorization as defined in the *Automobile Insurance Act* of all maximum insurable amounts prescribed therein be added to the *Regulation respecting the reimbursement of certain expenses*.**

Yours respectfully,

(Original signed)

Raymonde Saint-Germain  
Ombudsperson

c.c.: Ms. Nathalie Tremblay, President and Chief Executive Officer, Société de l'assurance automobile du Québec  
Mr. Denis Marsolais, Deputy Minister of Transport, Sustainable Mobility and Transport Electrification  
Ms. Louise Cameron, Secretary, Committee on Transportation and the Environment  
Mr. Maxime Perreault, Secretary, Committee on Institutions