

Introduction

This isn't the kind of book I normally write, but it's the book I wish I'd had after I was hit by a car while crossing the street in Vancouver. I trusted B.C.'s medical-legal-insurance system to work for me without realizing that it was up to me to make sure it did.

While my personal experiences aren't discussed in this book, they made me realize how much a book like this is needed. My injuries required extensive surgery, and I spent two weeks in the hospital, six months in a wheelchair, and several years in rehab. ICBC admitted full liability early on and initially paid my medical and rehab expenses, but they didn't want to compensate me for my lost income. (The publication of a book I'd finished writing prior to my accident had to be postponed for two years.) Instead, I was sent to a series of medical experts as ICBC tried to find someone who would deny that my injuries had left me with on-going disabilities. My case went to trial, then ICBC appealed the court Judgment. Seven years after my accident, I finally received the money I was awarded, and my lawyers' accounts were settled.

The problems I encountered are similar to those faced by many auto accident survivors. Doctors may not detect conditions that require treatment. Insurers often assume that claimants exaggerate their problems. The experts they hire tend to downplay people's disabilities. Accident-related income losses can be hard to prove to an insurer's satisfaction, and lawyers' billing practices aren't always fair. If you're injured in an auto accident, you need to know how to get good medical care, necessary financial help, and competent legal advice. You also need to know what your legal rights are, when to pursue legal action, and how to safeguard your interests.

Every year, over 60,000 people in B.C. are injured or killed in auto accidents.¹ The vast majority of these people (or their families) file claims with ICBC, WCB and other insurers for benefits or compensation, and thousands of these claims go to trial, mediation, arbitration or appeal each year.

I'm not a lawyer, nor have I ever worked for the government or an insurer. While my personal experiences motivated me to write this book, I have no point of view to support other than my belief in the public's right to be informed about the issues that affect their lives.

A year after my insurance claim settled, I began my research by interviewing personal injury lawyers, doctors, rehab therapists, insurance and

government agency employees, disability-group staff people, financial advisers and auto accident survivors. I read widely in many fields and analyzed insurance documents and statistics, legal statutes and regulations, and current case law. I also had access to ICBC internal claims procedure manuals that outline their policies and practices. Knowledgeable professionals reviewed what I wrote and offered advice when needed.

I've tried to de-mystify the medical-legal-insurance system in British Columbia and "level the playing field" for people who are injured in auto accidents by writing a balanced, objective guide that explains difficult concepts in simple, everyday language. Readers are given specific, detailed information about the actions they may have to take and what they need to be aware of. While the book focusses on the help that's available to B.C. residents through public and private sources, much of the material will be useful to people who live outside the province as well.