

INJURY TYPE	CURRENT SABS (UNTIL JUNE 1, 2016)	NEW SABS (Ont. Reg. 251/15—EFFECTIVE AS OF JUNE 1, 2016)
Paraplegia/ Tetraplegia	(a) paraplegia or quadriplegia;	<p>(1) 1. Paraplegia or tetraplegia that meets the following criteria:</p> <ul style="list-style-type: none"> i. The insured person’s neurological recovery is such that the person’s permanent grade on the ASIA Impairment Scale, as published in Marino, R.J. et al, <i>International Standards for Neurological Classification of Spinal Cord Injury</i>, Journal of Spinal Cord Medicine, Volume 26, Supplement 1, Spring 2003, can be determined. ii. The insured person’s permanent grade on the ASIA Impairment Scale is or will be, <ul style="list-style-type: none"> A. A, B or C, or B. D, and <ul style="list-style-type: none"> 1. the insured person’s score on the Spinal Cord Independence Measure, Version III, item 12 (Mobility Indoors), as published in Catz, A., Itzkovich, M., Tesio L. et al, <i>A multicentre international study on the Spinal Cord Independence Measure, version III: Rasch psychometric validation</i>, Spinal Cord (2007) 45, 275-291 and applied over a distance of up to 10 metres on an even indoor surface is 0 to 5, 2. the insured person requires urological surgical diversion, an implanted device, or intermittent or constant catheterization in order to manage a residual neuro-urological impairment, or 3. the insured person has impaired voluntary control over anorectal function that requires a bowel routine, a surgical diversion or an implanted device.
Severe impairment of ambulatory mobility	<p>(b) the amputation or other impairment causing the total and permanent loss of use of both arms or both legs;</p> <p>(c) the amputation or other impairment causing the total and permanent loss of use of one or both arms and one or both legs;</p>	<p>(1) 2. Severe impairment of ambulatory mobility or use of an arm, or amputation that meets the following criteria:</p> <ul style="list-style-type: none"> i. Trans-tibial or higher amputation of a leg. ii. Amputation of an arm or another impairment causing the total and permanent loss of use of an arm. iii. Severe and permanent alteration of prior structure and function involving one or both legs as a result of which the insured person’s score on the Spinal Cord Independence Measure, Version III, item 12 (Mobility Indoors), as published in Catz, A., Itzkovich, M., Tesio L. et al, <i>A multicentre international study on the Spinal Cord Independence Measure, version III: Rasch psychometric validation</i>, Spinal Cord (2007) 45, 275-291 and applied over a distance of up to 10 metres on an even indoor surface is 0 to 5.
Blindness	(d) the total loss of vision in both eyes;	<p>(1) 3. Loss of vision of both eyes that meets the following criteria:</p> <ul style="list-style-type: none"> i. Even with the use of corrective lenses or medication, <ul style="list-style-type: none"> A. visual acuity in both eyes is 20/200 (6/60) or less as measured by the Snellen Chart or an equivalent chart, or B. the greatest diameter of the field of vision in both eyes is 20 degrees or less. ii. The loss of vision is not attributable to non-organic causes.

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Traumatic Brain Injury in Adults	<p>(e) subject to subsection (1.4), brain impairment that, in respect of an accident, results in,</p> <p>(i) a score of 9 or less on the Glasgow Coma Scale, as published in Jennett, B. and Teasdale, G., <i>Management of Head Injuries</i>, Contemporary Neurology Series, Volume 20, F.A. Davis Company, Philadelphia, 1981, according to a test administered within a reasonable period of time after the accident by a person trained for that purpose, or</p> <p>(ii) a score of 2 (vegetative) or 3 (severe disability) on the Glasgow Outcome Scale, as published in Jennett, B. and Bond, M., <i>Assessment of Outcome After Severe Brain Damage</i>, Lancet i:480, 1975, according to a test administered more than six months after the accident by a person trained for that purpose;</p>	<p>(1) 4. If the insured person was 18 years of age or older at the time of the accident, a traumatic brain injury that meets the following criteria:</p> <p>i. The injury shows positive findings on a computerized axial tomography scan, a magnetic resonance imaging or any other medically recognized brain diagnostic technology indicating intracranial pathology that is a result of the accident, including, but not limited to, intracranial contusions or haemorrhages, diffuse axonal injury, cerebral edema, midline shift or pneumocephaly.</p> <p>ii. When assessed in accordance with Wilson, J., Pettigrew, L. and Teasdale, G., <i>Structured Interviews for the Glasgow Outcome Scale and the Extended Glasgow Outcome Scale: Guidelines for Their Use</i>, Journal of Neurotrauma, Volume 15, Number 8, 1998, the injury results in a rating of,</p> <p>A. Vegetative State (VS or VS*), one month or more after the accident,</p> <p>B. Upper Severe Disability (Upper SD or Upper SD*) or Lower Severe Disability (Lower SD or Lower SD*), six months or more after the accident, or</p> <p>C. Lower Moderate Disability (Lower MD or Lower MD*), one year or more after the accident.</p>
Other Physical Impairments (not covered by 2(a), 2(b), 2(c) or 2(d))	<p>(f) subject to subsections (1.4), (2.1) and (3), an impairment or combination of impairments that, in accordance with the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 4th edition, 1993, results in 55 per cent or more impairment of the whole person; or</p> <p><u>(2.1)</u> Clauses (1.2) (f) and (g) do not apply in respect of an insured person who sustains an impairment as a result of an accident that occurs after September 30, 2003 unless,</p> <p>(a) the insured person's health practitioner states in writing that the insured person's condition is unlikely to cease to be a catastrophic impairment; or</p> <p>(b) two years have elapsed since the accident. O. Reg. 281/03, s. 1 (7).</p>	<p>(1) 6. Subject to subsections (2) and (5), a physical impairment or combination of physical impairments that, in accordance with the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 4th edition, 1993, results in 55 per cent or more physical impairment of the whole person.</p> <p>7. Subject to subsections (2) and (5) a mental or behavioural impairment, excluding traumatic brain injury, determined in accordance with the rating methodology in Chapter 14, Section 14.6 of the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 6th edition, 2008, that, when the impairment score is combined with a physical impairment described in paragraph 6 in accordance with the combining requirements set out in the Combined Values Table of the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 4th edition, 1993, results in 55 percent or more impairment of the whole person.</p> <p>(2) Paragraphs 6 and 7 of subsection (1) do not apply in respect of an insured person who sustains an impairment as a result of an accident unless,</p> <p>(a) two years have elapsed since the accident; or</p> <p>(b) an assessment conducted by a physician three months or more after the accident determines that,</p> <p>(i) the insured person has a physical impairment or combination of physical impairments determined in accordance with paragraph 6 of subsection (1), or a combination of a</p>

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		<p>mental or behavioural impairment and a physical impairment determined in accordance with paragraph 7 of subsection (1) that results in 55 per cent or more impairment of the whole person, and</p> <p>(ii) the insured person's condition is unlikely to improve to less than 55 per cent impairment of the whole person.</p>
Psychiatric Impairment	<p>(g) subject to subsections (1.4), (2.1) and (3), an impairment that, in accordance with the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 4th edition, 1993, results in a class 4 impairment (marked impairment) or class 5 impairment (extreme impairment) due to mental or behavioural disorder. O. Reg. 281/03, s. 1 (5).</p> <p><u>(2.1)</u> Clauses (1.2) (f) and (g) do not apply in respect of an insured person who sustains an impairment as a result of an accident that occurs after September 30, 2003 unless,</p> <p>(a) the insured person's health practitioner states in writing that the insured person's condition is unlikely to cease to be a catastrophic impairment; or</p> <p>(b) two years have elapsed since the accident. O. Reg. 281/03, s. 1 (7).</p>	<p>(1) 8. Subject to subsections (3) and (5), an impairment that, in accordance with the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 4th edition, 1993 results in a class 4 impairment (marked impairment) in three or more areas of function that precludes useful functioning or a class 5 impairment (extreme impairment) in one or more areas of function that precludes useful functioning, due to mental or behavioural disorder.</p> <p>(3) Paragraph 8 of subsection (1) does not apply in respect of an insured person who sustains an impairment as a result of the accident unless,</p> <p>(a) two years have elapsed since the accident; or</p> <p>(b) a physician states in writing that the insured person's impairment is unlikely to improve to less than a class 4 impairment (marked impairment) in three or more areas of function that precludes useful functioning, due to mental or behavioural disorder.</p>
Traumatic Brain Injury in Children	<p><u>(1.3)</u> Subsection (1.4) applies if an insured person is under the age of 16 years at the time of the accident and none of the Glasgow Coma Scale, the Glasgow Outcome Scale or the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 4th edition, 1993, referred to in clause (1.2) (e), (f) or (g) can be applied by reason of the age of the insured person. O. Reg. 281/03, s. 1 (5).</p> <p><u>(1.4)</u> For the purposes of clauses (1.2) (e), (f) and (g), an impairment sustained in an accident by an insured person described in subsection (1.3) that can reasonably be believed to be a catastrophic impairment shall be deemed to be the impairment that is most analogous to the impairment referred to in clause (1.2) (e), (f) or (g), after taking into consideration the developmental implications of the impairment. O. Reg. 281/03, s. 1 (5).</p>	<p>(1) 5. If the insured person was under 18 years of age at the time of the accident, a traumatic brain injury that meets one of the following criteria:</p> <ol style="list-style-type: none"> i. The insured person is accepted for admission, on an in-patient basis, to a public hospital named in a Guideline with positive findings on a computerized axial tomography scan, a magnetic resonance imaging or any other medically recognized brain diagnostic technology indicating intracranial pathology that is a result of the accident, including, but not limited to, intracranial contusions or haemorrhages, diffuse axonal injury, cerebral edema, midline shift or pneumocephaly. ii. The insured person is accepted for admission, on an in-patient basis, to a program of neurological rehabilitation in a paediatric rehabilitation facility that is a member of the Ontario Association of Children's Rehabilitation Services. iii. One month or more after the accident, the insured person's level of neurological function does not exceed category 2 (Vegetative) on the King's Outcome Scale for Childhood Head Injury as published in Crouchman, M. et al, <i>A practical outcome scale for paediatric head injury</i>, Archives of Disease in Childhood, 2001: 84: 120-124. iv. Six months or more after the accident, the insured person's level of neurological function does not exceed category 3 (Severe disability) on the King's Outcome Scale

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		<p>for Childhood Head Injury as published in Crouchman, M. et al, <i>A practical outcome scale for paediatric head injury</i>, Archives of Disease in Childhood, 2001: 84: 120-124.</p> <p>v. Nine months or more after the accident, the insured person's level of function remains seriously impaired such that the insured person is not age-appropriately independent and requires in-person supervision or assistance for physical, cognitive or behavioural impairments for the majority of the insured person's waking day.</p> <p>45.1 If an insured person who is under 18 years of age at the time of the accident sustains a traumatic brain injury that meets the criteria in subparagraph 5 i or 5ii of subsection 3.1 (1) and that was caused by an accident that occurs on or after June 1, 2016, the person may submit an application under subsection 45 (1) and subsections 45 (2) to (5) do not apply, and the impairment is deemed to be a catastrophic impairment for the purposes of subsection 45 (6).</p>
Most Analogous Impairment re AMA Guides	<p>(3) For the purpose of clauses (1.1) (f) and (g) and (1.2) (f) and (g), an impairment that is sustained by an insured person but is not listed in the American Medical Association's <i>Guides to the Evaluation of Permanent Impairment</i>, 4th edition, 1993 shall be deemed to be the impairment that is listed in that document and that is most analogous to the impairment sustained by the insured person. O. Reg. 403/96, s. 2 (3); O. Reg. 281/03, s. 1 (8).</p>	<p>(4) Subsection (5) applies to an insured person who was under the age of 18 at the time of the accident and whose impairment is not a catastrophic impairment within the meaning of subsection (1).</p> <p>(5) If the insured person's impairment can reasonably be believed to be a catastrophic impairment for the purposes of paragraph 6, 7 or 8 of subsection (1), the impairment shall be deemed to be the impairment referred to in paragraph 6, 7 or 8 of subsection (1) that is most analogous to the impairment, after taking into consideration the developmental implications of the impairment.</p>