

disclosure

Your quarterly source of personal injury news



SMITIUCH INJURY LAW

The Dangers of Wired Glass Exposed

Wired glass is used throughout our schools, hospitals and public buildings. It is in gymnasiums, hallways and many other places where our children learn and play. Although it is thought to be stronger than regular glass, it is not. It is much weaker and has led to many horrific incidents and injuries.

One such incident occurred on May 9, 2013, when Sean Lloyd, a grade 12 student at Assumption Catholic Secondary School in Burlington, Ontario, was on his way to class. As he attempted to push open a wired glass door with his hand, suddenly and without warning, the wired glass broke and the glass lacerated his right arm as it went through, to the point where he essentially severed half of his arm. As a result, Sean had plastic surgery and is left with permanent and severe scarring and the horrible memory of this incident.

This is not the first incident involving wired glass and it unfortunately won't be the last unless immediate action is taken. In April of this year, the dangers of wired glass were exposed when Sean's story received extensive media coverage when a lawsuit was launched by Smitiuch Injury Law, on his behalf, against the Halton Catholic District School Board.

In his remarks to the media, Michael Smitiuch pointed out that the school board's very own insurance company previously issued an advisory to its members which stated "wired glass can cause horrible injuries." Despite this knowledge and despite the fact that there are much safer alternatives available which can still provide fire protection, wired glass remains in place in many public places.

"The act of embedding that wire into the glass plate actually introduces flaws which are precursors to cracks, which is a recipe for disaster," said Dr. Doug Perovic, an engineering professor from the University of Toronto.

It is this disaster waiting to happen which attracted significant media coverage, including CBC's The National, Global News and The Globe and Mail. It is hoped that the coverage will bring about changes by the Federal and Provincial Governments to the standards and codes involving wired glass.

"Mr. Lloyd's incident raises serious concerns about the potential danger that wired glass poses for all students. The reality is that Sean is one of far too many young people injured by wired glass in schools," said Smitiuch.

For more information or to view some of the media coverage visit CBC (<http://tinyurl.com/krxhf6l>), Global News (<http://tinyurl.com/on48thy>) or our website at www.smitiuchinjurylaw.com.



Image sourced from: <http://www.safeglassforschools.com/>

Safest & Most Dangerous Cars

Safest

1 Chevrolet Volt

2 Chevrolet Malibu

3 Audi A3

Most Dangerous

1 Kia Rio

2 Toyota Yaris

3 Hyundai Elantra

Treatment Providers Required to be Licensed

Automobile insurance fraud has been a growing concern for auto insurance companies, the Government of Ontario, and those consumers forced to pay increased auto insurance premiums. The Auto Insurance Anti-Fraud Task Force identified several ways in which some unscrupulous rehabilitation facilities would use a treatment provider's information and submit fraudulent treatment plans and invoices in their name without their knowledge or consent. Some rehabilitation companies have been convicted of this fraudulent activity over the past year.

In 2013 the Government of Ontario, on the advice of the Auto Insurance Anti-Fraud Task Force, passed the Prosperous and Fair Ontario Act. This Act requires, in part, all service provider businesses who wish to submit invoices for payment through the Health Claims for Auto Insurance (HCAI) system to be licensed by the Financial Services Commission of Ontario (FSCO).

FSCO defines a "service provider" as a business that provides specified goods or services ("listed expenses") to statutory accident benefit claimants for which it submits an invoice through Health Claims for Auto Insurance (HCAI) for payment by automobile insurers. Typically, these businesses are health and rehabilitation clinics, as well as providers of examinations and assessments.

The licensing system will take effect on December 1, 2014. If a business does not hold a license by then, they will be unable to continue to receive direct payments from automobile insurers. However, they will still be able to invoice claimants directly, who in turn will be able to seek reimbursement from their insurers. The vetting process for licensing will include a criminal background check of every person listed in the application.

Any businesses interested in further information are advised to go to the following link: <http://www.fSCO.gov.on.ca/en/service-providers/Pages/default.aspx>.

While the licensing requirements will help stop many fraudulent methods that were identified within the task force's report, each individual who obtains treatment paid for by their auto insurance company should always be encouraged to ask questions regarding treatment plans that are being submitted on their behalf. The law requires that a claimant review and sign each completed treatment plan and explicitly prohibits a treatment provider from asking a claimant to sign a blank treatment plan form.

We encourage all of our clients to thoroughly review all proposed treatment plans and ask any questions they might have about them to either the treatment providers or our own accident benefits team.

The Growth Continues *A New Associate Joins the Firm!*



Smitiuch Injury Law is pleased to announce the addition of a fourth lawyer to the firm. Megan Self has joined the firm as an Associate Lawyer.

Megan started at Smitiuch Injury Law in the Summer of 2012 as a summer law student and Articled with the firm in 2013. Her journey to become a lawyer was completed in June 2014, when she was called to the Bar.

Prior to working at Smitiuch Injury Law, Megan studied at the University of Western Ontario, where she earned an Honours Bachelor of Arts degree, Majoring in Sociology and Minor in Psychology. She then proceeded to the

University of Windsor Law School, where she obtained her Juris Doctor Law Degree (J.D.). While attending law school, Megan studied law abroad for a summer at Monash University in Prato, Italy and worked at the Windsor Community Legal Aid Clinic. While working at the Legal Aid clinic she not only gained invaluable experience but she also reaffirmed her decision to become a lawyer. "I knew immediately that I made the right career choice, being able to help individuals in their time of need was very rewarding," said Ms. Self, "it is one of the primary reasons I became a Personal Injury lawyer."

In her spare time, Megan has volunteered with the Lawyers Feed the Hungry program in Windsor and Toronto and with the Essex County Diversion Program.

Megan enjoys working at Smitiuch Injury Law. "The firm's team approach to cases, the open door policy and the synergy between everyone at the firm, makes it a great place to work and grow."

Megan will be serving clients in Toronto, Brantford, London and surrounding communities. Her addition to the firm enhances Smitiuch Injury Law's commitment to providing excellent customer service.

4 Acura RLX

5 Mazda CX-5

6 Chevrolet Equinox

7 Acura MDX

4 Hyundai Accent

5 Toyota Matrix

6 Ford Ranger

7 Nissan Frontier

Source: Insurance Institute for Highway Safety (IIHS), www.iihs.org

Kitchener Rangers Clarky's Kids FORE the Kids Charity Golf Tournament

On June 21, 2014, Smitiuch Injury Law sponsored and participated in the Kitchener Rangers Clarky's Kids, FORE the Kids Charity Golf Tournament which was hosted at the Granite Ridge Golf Club in Milton, Ontario.

The FORE the Kids Charity Golf Tournament is in support of the Kitchener Rangers Clarky's Kids, a charity that supports children and their families that have been touched by cancer. The Kitchener Rangers teamed up with current Toronto Maple Leaf hockey player and former Ranger, David Clarkson, to form Clarky's Kids.

Clarky's Kids provides children in the Paediatric Oncology Group (POGO) at Grand River Hospital, Kitchener, the opportunity to experience the excitement of a Kitchener Ranger's game and visit with players and coaches inside and outside of the hospital.

"Making this donation to the Grand River Hospital POGO unit through Clarky's Kids and the NHLPA Goals & Dreams fund is something I'm extremely proud of," said Clarkson, "it is great to know that this donation from NHL Players will help directly

impact the kids who are battling cancer so courageously."

The number of families and children that have been touched by the generosity of Clarky's Kids continues to grow. As everyone knows, the strength of any charity is its volunteers. Smitiuch Injury Law is very proud to recognize the efforts of two of our

friends, Dan Pyrah and Chris Gisi. Both gentlemen were on the golf tournament's organizing committee and did a wonderful job.

Plans are already underway for next year's tournament. For more information go to <http://www.kitchenerangers.com/page/clarky-s-kids>

Our Toronto office has moved!

We have moved our Toronto office. Effective July 14, 2014, our Toronto office is now located at:

3300 Bloor Street West, Centre Tower, Suite 2800, Toronto, Ontario

The new office building is located on the corner of Bloor Street West and Islington Avenue. The TTC Islington subway & bus station and a Mississauga Transit (MiWAY) stop are all conveniently located at the same intersection. The subway can be accessed from within our building.

Even though the firm has moved four kilometres east and two stories higher we still offer the same sought-after features of a large firm, including experienced and highly knowledgeable lawyers and staff, along with the same great service, accessibility and personal touch of a small firm.

Our phone number remains the same, just a different address to better serve our clients.

Drop in anytime if you are in the neighborhood, you are always welcome!

For more information or directions please call 416.621.1551.



Join us in celebrating!
NEW OFFICE OPEN HOUSE
Thursday, October 2, 2014
4:00 p.m. – 7:00 p.m.
RSVP
416.621.1551

Smitiuch Injury Law Event Calendar

August 13, 2014 - 8th Annual Victim Services of Brant - Golf Tournament

Smitiuch Injury Law is pleased to be a sponsor and participant of this event.
The Paris Grand Country Club, Paris, ON

August 21, 2014 - London Health Sciences Foundation - Trauma Golf Classic

Smitiuch Injury Law is pleased to be a sponsor of this event.
RiverBend Golf Club, London, ON

October 2, 2014 - Smitiuch Injury Law - New Office Open House

We have moved and you are invited to celebrate our new office at our open house. Refreshments & hors d'oeuvres will be served.
4:00 p.m. - 7:00 p.m. RSVP requested please.
3300 Bloor Street West, Centre Tower, Suite 2800, Toronto, ON

October 15, 2014 - 5th Annual Accident Benefits Seminar - Practical Issues for Health Care Professionals

This seminar, presented by Smitiuch Injury Law, is intended for health-care professionals who wish to hear about the latest Accident Benefits issues and how they pertain to their practice. To register, please contact our office.
Brantford Golf & Country Club, Brantford, ON

October 21, 2014 - Ontario Trial Lawyers Association Fall Conference

Smitiuch Injury Law Accident Benefits Manager, Chris Jackson, will be presenting a paper entitled, "AB Priorities: Strategies to Avoid Examinations Under Oath."
Metro Toronto Convention Centre, North Building, Toronto, ON



For further information or to discuss how we can help you
please contact Michael Smitiuch at:
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SMITIUCH INJURY LAW

"Helping those who need it the most."™

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