

**Automobile Injury Appeal Commission
Province of Saskatchewan**

Citation: *Z.U. v. Saskatchewan Government
Insurance, 2006 SKAIA 034*
Date: 20060519
File: 094 of 2004

BETWEEN:

Z.U., Applicant

and

Saskatchewan Government Insurance, Respondent

Appearances:
Z.U., for the Applicant
Jane Wootten, for the Respondent

Before: **Joy Dobko, Chair**
Darleen Topp, Commission Member
Carol Olson, Commission Member

**THIS DECISION HAS BEEN EDITED TO PROTECT THE PERSONAL AND HEALTH
INFORMATION OF INDIVIDUALS BY REMOVING PERSONAL IDENTIFIERS AND
OTHER IDENTIFYING INFORMATION**

Heard at Saskatoon, Saskatchewan
May 17, 2006

PRELIMINARY DECISION

[1] This is an appeal by the Appellant, Z.U., of decisions made by Saskatchewan Government Insurance (“SGI”) dated August 15 2002 with respect to the termination of income replacement benefits and May 4, 2004 with respect to the calculation and assessment of permanent impairment benefits.

Preliminary Matters

[2] On May 17, 2006, Jane Wooten, solicitor for Saskatchewan Government Insurance (“SGI”), made an application for an adjournment of the hearing on the basis that the Appellant presented new medical evidence on the date of the hearing which required that further review and assessments be completed by Saskatchewan Government Insurance.

[3] We have determined that the hearing shall be adjourned sine die under the following circumstances:

- (a) The Appellant shall provide all new medical evidence and make a request of SGI for review and assessment with regard to the Appellant’s entitlement to additional permanent impairment benefits, rehabilitation benefits and reinstatement of income replacement benefits.
- (b) The Appellant shall request from SGI, reimbursement for rehabilitation expenses directly related to motor vehicle accident related injuries which have been incurred and have not yet been reimbursed by SGI.
- (c) Upon receipt of the new medical evidence and any other relevant information, SGI shall review and assess the new information and the Appellant’s requests for benefits and provide the Appellant with SGI’s decisions regarding the Appellant’s entitlement to additional permanent impairment benefits, income replacement benefits and rehabilitation benefits.
- (d) If the Appellant and SGI come to an agreement regarding the Appellant’s entitlement to permanent impairment benefits, income replacement benefits and

rehabilitation benefits the Appellant shall withdraw his appeal to the Appeal Commission.

- (e) If the Appellant and SGI are unable, on the basis of the new medical information, to come to an agreement regarding the Appellant's entitlement to additional permanent impairment benefits, income replacement benefits and rehabilitation benefits, a new date shall be set to resume the appeal hearing on those matters still under appeal.
- (f) If the appeal hearing resumes, the jurisdiction of this Commission will be limited firstly; to matters relating to the termination of the income replacement benefits on August 15, 2002 and the calculation and assessment of permanent impairment benefits and secondly; to any new decision letters issued by SGI arising out of the within preliminary matters and which are properly appealed by the Appellant pursuant to *The Automobile Accident Insurance Act*.
- (g) The Commission does not have jurisdiction to hear an appeal regarding the calculation of the Appellant's income replacement benefits in written decisions issued by SGI on September 14, 2000 and September 27, 2001 as these were decisions which the Appellant admitted he did not appeal.

[4] This interim decision shall form part of the content of any final decision rendered by this Commission.

Dated at Saskatoon, Saskatchewan, on May 19, 2006.

Joy Dobko, Chair

Carol Olson, Commission Member

Darleen Topp, Commission Member