

Section B: Accident Benefits

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Under Section B of the Alberta Standard Automobile Policy (S.P.F. No. 1) if an individual is injured in a motor vehicle accident, assistance with medical and treatment expenses is likely available. Benefits available under this section are provided on a no-fault basis meaning that an individual is entitled to benefits even if they are responsible for the accident.

Individuals involved in an automobile accident are covered by these benefits through the automobile policy of the driver of the car that the injured individual was in, whether as driver or as passenger. If a pedestrian is injured by an automobile, the Section B provisions of the vehicle owner's policy will apply.

There are three subsections of Section B accident benefits:

- Medical benefits;
- Death and disability benefits; and
- Benefits for accidents occurring outside Alberta in a no-fault jurisdiction.

Medical Benefits

Section B provides coverage for all reasonable expenses incurred within 2 years from the date of the accident as a result of injuries suffered in the accident, up to a limit of \$50,000.00. This includes any necessary medical, surgical, chiropractic, dental, hospital, psychological, physical therapy, occupational therapy, massage therapy, acupuncture, and professional nursing and ambulance services, and other related rehabilitative services, supplies, and treatment.

There are, however, certain services that are capped at fixed dollar amounts. These services and their respective caps are:

- Chiropractic treatment: \$750.00
- Massage therapy: \$250.00
- Acupuncture: \$250.00

Death Benefits

If the accident results in a fatal injury to an individual, certain sums are payable under Section B to a surviving spouse, adult interdependent partner, or dependent relatives of that individual. This includes the payment of a principal sum, which varies depending on the individual's age and family role on the date of the accident, and the individual's relationship to surviving relatives. In the case of a fatality, funeral service expenses are also payable of up to \$5,000.00 as well as grief counseling up to \$400.00 per family with respect to the death of any one person.

Total Disability

If, as a result of a car accident, an individual is totally disabled from working, they are entitled under Section B to the payment of a weekly benefit. Total disability is defined as the prevention from performing any and every duty of your job.

To qualify for this benefit, the injured individual must have either:

1. Been employed at the time of the accident or,
2. If 18 years or older, worked for 6 out of the 12 months preceding the date of the accident.

Note that total disability payments are only payable while the individual is totally disabled from their job. If they return to work, even on a part-time basis, benefits are usually terminated.

For disability payments there is a one week waiting period during which no benefits are payable. After that week, benefits are calculated at 80% of the injured individual's gross weekly earnings to a maximum of \$400.00 per week, to a maximum of 104 weeks (2 years).

In the event that an injured individual does not meet either of the two criteria for employment, listed above, they are still entitled to \$135.00 per week for a maximum of 26 weeks if they are completely incapacitated and unable to perform household duties.

Benefits for accidents occurring outside Alberta in a no-fault jurisdiction

If a person suffers an injury in an accident in a jurisdiction other than Alberta, that person may be entitled to even greater benefits than are prescribed in the policy. They may need to consult with a lawyer from the jurisdiction where the accident took place.

In conclusion, Section B benefits are a valuable and relatively comprehensive set of benefits

available through an automobile policy. They are provided on an as needed basis, without having to wait for a personal injury claim to be settled or for liability to be determined. Familiarizing yourself with the different aspects of your Section B benefits gives you the opportunity to know what benefits you are entitled to receive if you are involved in an automobile accident, regardless of fault. To find out more about Section B, please contact our [Personal Injury Team](#).

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