

Automobile Injury Compensation Appeal Commission

IN THE MATTER OF an Appeal by J.C.
AICAC File No.: AC-07-14

PANEL: Ms Yvonne Tavares, Chairperson

APPEARANCES: The Appellant, J.C., was not present at the appeal hearing; Manitoba Public Insurance Corporation ('MPIC') was represented by Mr. Dean Scaletta.

HEARING DATE: July 24, 2008

ISSUE(S): Termination of Income Replacement Indemnity benefits

RELEVANT SECTIONS: Section 160(g) of The Manitoba Public Insurance Corporation Act ('MPIC Act')

MAIC NOTE: THIS DECISION HAS BEEN EDITED TO PROTECT THE PERSONAL HEALTH INFORMATION OF INDIVIDUALS BY REMOVING PERSONAL IDENTIFIERS AND OTHER IDENTIFYING INFORMATION.

Reasons For Decision

The Appellant, J.C., is appealing the Internal Review decision dated October 4, 2006, with regards to the termination of her Income Replacement Indemnity benefits for non-compliance with a rehabilitation program made available by MPIC. An appeal hearing was held on July 24, 2008. The Appellant did not attend the hearing or provide any submissions to the Commission in support of her appeal.

Upon a consideration of the totality of the evidence before it, and upon a consideration of the relevant factors surrounding the Appellant's failure to cooperate with the rehabilitation program,

the Commission finds that the Appellant has not provided a valid reason for her failure to cooperate with the rehabilitation program arranged by the case manager.

As a result, the Appellant's appeal is dismissed and the Internal Review decision dated October 4, 2006 is confirmed.

Dated at Winnipeg this 31st day of July, 2008.

YVONNE TAVARES