

Automobile Injury Compensation Appeal Commission

**IN THE MATTER OF an Appeal by [the Appellant]
AICAC File No.: AC-00-132**

PANEL: Ms. Yvonne Tavares, Chair
Mr. Colon C. Settle, Q.C.
Ms. Deborah Stewart

APPEARANCES: The Appellant, [text deleted], and her daughter, [text deleted], appeared on her behalf; Manitoba Public Insurance Corporation ('MPIC') was represented by Mr. Keith Addison.

HEARING DATE: March 1, 2001

ISSUE: Whether Appellant was entitled to be reimbursed for the cost of the medication Imitrex.

RELEVANT SECTIONS: Section 136 of the MPIC Act and Section 38 of Regulation 40/94.

AICAC NOTE: THIS DECISION HAS BEEN EDITED TO PROTECT THE APPELLANT'S PRIVACY AND TO KEEP PERSONAL INFORMATION CONFIDENTIAL. REFERENCES TO THE APPELLANT'S PERSONAL HEALTH INFORMATION AND OTHER PERSONAL IDENTIFYING INFORMATION HAVE BEEN REMOVED.

Reasons For Decision

1. The Appellant, [text deleted], was injured in a motor vehicle accident ('MVA') on December 30th, 1996.
2. As a result of this MVA, the Appellant experienced severe migraine headaches which her general practitioner, [text deleted], attributed to the MVA. [Appellant's doctor] prescribed Imitrex to assist the Appellant in suppressing her migraine headaches.
3. The Appellant was involved in a second MVA on November 28th, 1998.

4. As a result of this second MVA, the Appellant was diagnosed with Post-Traumatic Stress Disorder and depression. Since the second MVA, she has been prescribed a number of antidepressants to assist her in overcoming the depression.
5. The Appellant testified that a side effect of her antidepressant medication was severe headaches. In a letter dated December 5th, 2000, her psychiatrist, [text deleted], advised that the migraine headaches experienced by [the Appellant] are worsened by the antidepressant medication that she needs to take to assist in her rehabilitation.
6. The Commission finds that the Appellant's need for the medication, Imitrex, is attributable to both of her motor vehicle accidents and that MPIC should reimburse her for the cost of the Imitrex.

Dated at Winnipeg this 2nd day of March, 2001.

YVONNE TAVARES

COLON C. SETTLE, Q.C.

DEBORAH STEWART