

***Personal Injury:  
Insurance Reform (Bill 53)***

Edmonton, Alberta  
September 14, 2004

Calgary, Alberta  
September 21, 2004

*Chair*

***Beverly Larbalestier***  
Larbalestier Stewart  
Edmonton, Alberta

*Panel*

***Derek Allchurch***  
Miller Thomson LLP  
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***Cara L. Brown***  
Brown Economic  
Assessments Inc.  
Calgary, Alberta

***Dr. George Douchet***  
Sherwood Park, Alberta

***Robert Feraco***  
Emery Jamieson LLP  
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***David J. Wachowich***  
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***Vivian Stevenson, Q.C.***  
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## **“MINOR INJURIES” FROM A PHYSICIAN’S PERSPECTIVE**

### **1. INTRODUCTION**

Ladies and Gentlemen, Honored Members of the Legal Profession.

I address you in this fashion as it is much simpler than trying to be funny and deprecating the legal profession most often done by lawyers themselves, the lay public and even extremely rarely doctors.

The task that was set before me in preparing this presentation is in essence a simple one, if my task is simply to discuss definitions of certain injuries, and the terms that are used to describe these injuries. I was also asked to provide guidance for members of the legal profession so that they have a way of advising the injured as to what they should do. Unfortunately these injuries are complicated by multiple other factors. The simplicity is that many of the questions relating to the injuries can be answered quite simply. The complexity comes about when we are dealing with human beings with variable levels of susceptibility, personalities, sensitivities, needs, fears, etc., along with varying ability to cope or heal and varying motivations and agendas. Initially we will deal with definitions of the various terms which are used in relations to medical assessment and in reports. The problem of assessment of the injury and how it could be approached will be outlined to you and how this approach could well be used by the professions to assess the presence of, the severity of, the prognosis of any injury. This approach is based on what the medical clinicians approach should be, or what would be a recommended, reasonable plan for dealing with the types of injuries in which doctors and lawyers might be involved as representatives of the injured parties. It must be remembered that I am not attempting to turn anyone into a physician, but merely, in providing individuals who have need for the assessment of injuries, a procedural plan.