

Not Every “Minor Injury” Is So Minor: Understanding The Minor Injury Guideline In Ontario



If you've been injured in a car accident in Ontario, you may have heard about the "Minor Injury Guideline" (MIG). It sounds straightforward, right? A guideline for minor injuries, offering a cap of \$3,500 for medical and rehabilitation benefits. But what if your injury isn't as minor as it seems, or there's more to your case than meets the eye? You might find yourself in a frustrating situation where you're stuck in the MIG when you shouldn't be. And that's where things get tricky.

What Is the Minor Injury Guideline?

The MIG is designed to streamline care and benefits for individuals with relatively minor injuries like sprains, strains, and whiplash. If you fall under the MIG, you have access to up to \$3,500 for your treatment. The idea is to keep things simple for minor injuries so that you can recover quickly without jumping through too many hoops.

But here's the catch: sometimes, injuries that seem minor at first aren't so minor after all. Or, maybe you had a pre-existing injury that makes your recovery more complicated. If either of these scenarios applies to you, you might be eligible for additional benefit funding – up to \$65,000 for non-catastrophic injuries or even up to \$1 million for catastrophic injuries.

How Can You Be “Bumped Out” of the MIG?

You might be thinking, “Okay, so how do I know if I shouldn't be in the MIG?”

Here are two common reasons:

1. **Incorrect Diagnosis:** Sometimes, the initial assessment of your injury might be too hasty or just plain wrong. What looks like a simple whiplash at first might turn into a more complex issue like a chronic pain condition or a concussion. If your diagnosis changes or it becomes clear that your injury is more serious than initially thought, you might be able to get “bumped out” of the MIG and access more benefits.

2. **Pre-existing Injuries:** If you had a pre-existing injury before the accident that now makes your recovery slower or more complicated, you could be eligible for more

than what the MIG offers. For example, let's say you had a bad back before your car accident. Even if the accident gave you a "minor" injury, that injury might aggravate your pre-existing condition and make it much harder for you to recover. In these cases, the \$3,500 cap may be far too low to cover what you need for proper treatment.

Why It Matters

Here's the bottom line: being placed in the MIG when you shouldn't be can significantly limit the care and compensation you receive. You might be left paying out of pocket for treatment you need, or worse, you might not be able to get the care you need at all.

Not every "minor injury" is truly minor. That's why it's so important to consult with an injury lawyer who understands how the system works. We can help you determine if you're in the right category and, if not, fight to get you the benefits you deserve. Remember, you're not alone in this process, and you don't have to settle for a diagnosis or a benefits cap that doesn't reflect the true nature of your injuries.

Think You're Misplaced in the MIG?

If you've been told your injury is "minor" but it doesn't feel that way, it might be worth getting a second opinion. When it comes to your health and recovery, you deserve more than a one-size-fits-all solution.

The content of this article is intended to provide a general guide to the subject matter. Specialist advice should be sought about your specific circumstances.

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