

Cabinet of Ministers Regulations No. 663

Riga, 24 November 2015 (prot.(minutes). No. 62 §5)

Regulations Regarding the Amount of and the Procedure for Compensation of the State Budget and Local Government Budget Expenses in Relation to the Persons Injured in a Road Traffic Accident

*Issued pursuant to
Section 24, Paragraph 3 of
the Compulsory Civil Liability Insurance for
Owners of Motor Vehicles Law*

I. General Provisions

1. The Regulations prescribe the amount of and procedure in which the insurer or the association "Motor Insurers' Bureau of Latvia" (hereinafter Motor Insurers' Bureau) shall reimburse the State budget and local government budget funds (hereinafter budget funds) paid in relation to persons injured in a road traffic accident:

1.1. for the medical treatment, rehabilitation and for the purchasing or leasing and adapting of technical aids;

1.2. in the form of the State social insurance services (hereinafter the service) and the State social benefits (hereinafter the benefit).

2. Budget funds for each injured person shall be reimbursed to the authority responsible for the recovery of the budget funds (hereinafter the responsible authority) in the following amount:

2.1. to the National Health Service – up to 110 000 *euros* for the medical treatment and medical rehabilitation of the injured person;

2.2. to the State Social Insurance Agency – up to 115 000 *euros* for the services and benefits;

2.3. to the Social Integration State Agency – up to 10 000 *euros* for the social or professional rehabilitation of the injured person;

2.4. to the Social Integration State Agency and the State Limited Liability Company *National Rehabilitation Center "Vaivari"* (hereinafter the rehabilitation center) – up to 10 000 *euros* for the purchase of technical aids and adapting thereof to the needs of the injured person;

2.5. to the local government – up to 15 000 *euros* for the medical treatment, rehabilitation of the injured persons, purchasing or leasing and adapting of the technical aids or for the benefits of the injured persons, if they are not paid from the State budget.

3. The responsible authority shall be entitled to claim the compensation of the budget funds from the insurer or the Motor Insurers' Bureau within a period of three years from the date of occurrence of the insured event.

4. If the insurance indemnity and the reimbursable budget funds to be disbursed to the injured persons for a single insured event exceeds the limit of insurer liability for the losses caused to a person specified in Section 15 of the *Compulsory Civil Liability Insurance of Owners of Motor Vehicles Law* (hereinafter the Law), the reimbursable budget funds shall be compensated in the sequence of receipt of applications regarding insurance indemnity and applications regarding compensation of the budget funds (hereinafter the application), without exceeding the limit of insurer liability prescribed in Section 15 of the Law. If the insurance indemnity application from the injured person and the application from the responsible authority are received concurrently, the insurance indemnity shall be primarily disbursed to the injured person.

5. The insurer or the Motor Insurers' Bureau shall review the applications received from the responsible authorities and the documents attached thereto in the sequence of the receipt thereof and shall adopt the decision on the reimbursement of the budget funds in accordance with Section 39 of the Law.

6. After adoption of the decision on reimbursement of the budget funds and the payment of the reimbursable budget funds into the State or the local government budget within the term prescribed by Section 40 of the Law, the insurer or the Motor Insurers' Bureau shall inform the responsible authority to this effect, specifying the name, surname and personal identity number of the injured person, as well as the amount of the reimbursable budget funds.

7. The State Police shall issue the statement of the road traffic accident upon the request of the local government and within a period of one month.

II. Procedure for Claiming Reimbursable Medical Treatment and Medical Rehabilitation Expenses

8. The National Health Service, when recovering the budget funds mentioned in Sub-clause 2.1 of the Regulations, shall represent other public administration authorities or medical treatment institutions which receive funds from the State budget for provision of medical treatment services or whose medical treatment services are paid for from the State budget funds.

9. The National Health Service shall submit the following documents to the insurer or the Motor Insurers' Bureau:

9.1. the application, specifying the following:

9.1.1. the number of the road traffic accident registration protocol;

9.1.2. name, surname and personal identity number of the injured person;

9.1.3. the sum of funds expended for the medical treatment and medical rehabilitation;

9.1.4. requisites of the State basic budget revenue account;

9.2. the documents issued by courts, prosecutor's offices or investigation institutions or their officers regarding the road traffic accident (if any);

9.3. the documents confirming the emergency medical aid provided to the person injured in a road traffic accident;

9.4. medical documentation reflecting information about the injured person – basic diagnosis, performed manipulations and operations, as well as the provided rehabilitation services;

9.5. estimate of funds expended for the medical treatment or medical rehabilitation of the injured person. The estimate shall specify the authority which has provided the medical treatment or medical rehabilitation service, the period for which the expenses shall be reimbursed, and the sum of the expended funds.

10. The local government council shall submit the following documents to the insurer or the Motor Insurers' Bureau:

10.1. the application, specifying the following:

10.1.1. the number of the road traffic accident registration protocol;

10.1.2. name, surname, personal identity number and the declared place of residence of the injured person;

10.1.3. the provided medical treatment or medical rehabilitation service and the substantiation of the provision or payment thereof;

10.1.4. the sum of funds expended for the medical treatment and medical rehabilitation;

10.1.5. requisites of the relevant local government budget account;

10.2. the documents issued by courts, prosecutor's offices or investigation institutions, or their officers regarding the relevant road traffic accident (if any);

10.3. medical documentation reflecting information about the injured person – basic diagnosis, performed manipulations and operations, as well as the provided rehabilitation services;

10.4. copies of the documents confirming the receipt of services and performance of payments.

III. Procedure for Claiming Funds Paid in the Form of Services and Benefits

11. The State Social Insurance Agency shall submit the following documents to the insurer or the Motor Insurers' Bureau:

11.1. the application, specifying the following:

11.1.1. the number of the road traffic accident registration protocol;

11.1.2. name, surname and personal identity number of the injured or deceased person;

11.1.3. the granted (recalculated) service or benefit, the amount thereof (before imposing the personal income tax), the period for which the expenses shall be reimbursed, and the sums of the expended funds;

11.1.4. requisites of the relevant State social insurance special budget account or State basic budget revenue account;

11.2. the documents issued by courts, prosecutor's offices or investigation institutions or their officers regarding the relevant road traffic accident (if any);

11.3. copy of or information about the decision on granting (recalculation) of the service or benefit;

11.4. information of the sick-leave certificate B (if the funds expended for the sick-leave benefit granted to the injured person are claimed);

11.5. copy of or information about the invalidity statement issued by or the decision on invalidity or forecasted invalidity adopted by the State Medical Commission for the Assessment of Health Condition and Working Ability and a copy of the statement or information specifying that the invalidity has been caused by injuries suffered in a road traffic accident (if the funds expended for the service or benefit granted to the injured person with respect to the invalidity are claimed);

11.6. copy of the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability or information about the necessity to receive the benefit for compensation of transport expenses (if the funds expended for the benefit granted to the injured person for compensation of transport expenses are claimed);

11.7. copy of the act of or information about the accident at work and copies of the documents supporting the expenses (if the funds expended for the insurance indemnity granted to the injured person for compensation of the medical treatment and rehabilitation expenses with respect to the accident at work are claimed).

IV. Procedure for Claiming Technical Aids and Social and Professional Rehabilitation Expenses

12. When claiming the funds expended for the social or professional rehabilitation services, the Social Integration State Agency shall submit the following documents to the insurer or the Motor Insurers' Bureau:

12.1. the application, specifying the following:

12.1.1. the number of the road traffic accident registration protocol;

12.1.2. name, surname, personal identity number of the injured person;

12.1.3. the sum of funds expended for the social or professional rehabilitation of a person;

12.1.4. requisites of the State basic budget revenue account;

12.2. the documents issued by courts, prosecutor's offices, investigation institutions or their officers regarding the relevant road traffic accident (if any);

12.3. estimate of the funds expended for the social or professional rehabilitation of the injured person. The estimate shall specify the provided social or professional rehabilitation services, institution where they are received, period for which the expenses shall be reimbursed, and the sum of expended funds;

12.4. copy of the opinion of the family (attending) physician of the injured person on the necessity of the social rehabilitation services, specifying that the functional disorders have been caused by injuries suffered in a road traffic accident (if funds expended for the social rehabilitation services are claimed);

12.5. copy of the invalidity statement issued or decision adopted by the State Medical Commission for the Assessment of Health Condition and Working Ability or information containing the reference on the necessity of the professional rehabilitation service, or the copy of the decision on the forecasted invalidity or information specifying that the invalidity or forecasted invalidity has been caused by injuries suffered in a road traffic accident (if funds expended for the professional rehabilitation services are claimed);

12.6. copy of the individual rehabilitation plan, if funds expended for the social or professional rehabilitation services for a person with a forecasted invalidity are claimed (if the request of the insurer or the Motor Insurers' Bureau is received).

13. When claiming funds expended for adapting a vehicle, the Social Integration State Agency shall submit the following documents to the insurer or the Motor Insurers' Bureau:

13.1. the application specifying the following:

13.1.1. the number of the road traffic accident registration protocol;

13.1.2. name, surname, personal identity number of the injured person;

13.1.3. the sum of funds expended for adapting the vehicle;

13.1.4. requisites of the State basic budget revenue account;

13.2. the documents issued by courts, prosecutor's offices or investigation institutions or their officers regarding the relevant road traffic accident (if any);

13.3. copy of the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability or information about the necessity of adapting the vehicle and the statement, specifying that the invalidity has been caused by injuries suffered in a road traffic accident;

13.4. copy of or information about the decision on adapting the vehicle;

13.5. estimate of the funds expended for adapting the vehicle. The estimate shall specify the vehicle, name of the equipment, other covered services and the sum of funds expended for them.

14. After the delivery of the technical aid to the injured person or after the end of the use thereof and the return of the technical aid to the rehabilitation center, the rehabilitation center shall submit the following documents to the insurer or the Motor Insurers' Bureau:

14.1. the application specifying the following:

14.1.1. the number of the road traffic accident registration protocol;

14.1.2. name, surname, and personal identity number of the injured person;

14.1.3. the name of the technical aid, the manner of delivery thereof, as well as the period of use thereof, if the technical aid has been delivered in the form of lending;

14.1.4. the reimbursable value;

14.1.5. requisites of the State basic budget revenue account;

14.2. the copy of the opinion of the attending physician or the functional specialist of the injured person regarding the necessity of receipt of the technical aid;

14.3. the documents issued by courts, prosecutor's offices or investigation institutions or their officers regarding the relevant road traffic accident (if any);

14.4. copy of the contract concluded with the injured person, which states the value of the technical aid;

14.5. estimate of the reimbursable value, specifying the name of the technical aid, the value thereof on the date of issue and the reimbursable value (if the technical aid has been delivered in the form of lending).

15. The value of the technical aid lent after the end of the use thereof and the return of the technical aid to the rehabilitation center shall be reimbursed in accordance with the duration of the use thereof.

16. The local government council, when claiming the funds expended for the social rehabilitation services, shall submit the following documents to the insurer or the Motor Insurers' Bureau:

16.1. the application, specifying the following:

16.1.1. the number of the road traffic accident registration protocol;

16.1.2. name, surname, personal identity number and the declared place of residence of the injured person;

16.1.3. the sum of funds expended for social rehabilitation and the substantiation of payment of the social rehabilitation services;

16.1.4. requisites of the relevant local government budget account;

16.2. the documents issued by courts, prosecutor's offices, investigation institutions or their officers regarding the relevant road traffic accident (if any);

16.3. estimate of the funds expended for the social rehabilitation of the injured person. The estimate shall specify the provided or paid social rehabilitation services, institution where they are received, the period for which the expenses shall be reimbursed, and the sum of expended funds;

16.4. copy of the opinion of the family (attending) physician of the injured person on the necessity of the social rehabilitation services specifying that the functional disorders have been caused by injuries suffered in a road traffic accident;

16.5. copy of the individual rehabilitation plan, if the funds expended for the social rehabilitation services to a person with a forecasted invalidity are claimed (if the request of the insurer or the Motor Insurers' Bureau is received).

17. When claiming the funds expended for purchasing, leasing or adapting the technical aids, the local government council shall submit the following documents to the insurer or the Motor Insurers' Bureau:

17.1. the application specifying the following:

17.1.1. the number of the road traffic accident registration protocol;

17.1.2. name, surname, personal identity number and the declared place of residence of the injured person;

17.1.3. the substantiation of provision of the service for purchasing, leasing or adapting the technical aid;

17.1.4. the name of the technical aid, the manner of delivery and the period of use thereof, as well as the use fee for leasing the technical aid (if the funds expended for leasing the technical aid are claimed);

17.1.5. the reimbursable value;

17.1.6. requisites of the relevant local government budget account;

17.2. the excerpt from the inpatient/outpatient medical card submitted by the injured person substantiating the necessity of the technical aid;

17.3. the documents issued by courts, prosecutor's offices, investigation institutions or their officers regarding the relevant road traffic accident (if any);

17.4. copy of the opinion of the State Medical Commission for the Assessment of Health Condition and Working Ability about the necessity of adapting the motor vehicle and the statement specifying that the invalidity has been caused by injuries suffered in a road traffic accident (if expenses for adapting the motor vehicle are claimed);

17.5. copy of the contract concluded with the injured person, which states the value of the technical aid;

17.6. estimate of the reimbursable value specifying the name of the technical aid, the value thereof on the date of issue and the reimbursable value (if the expenses for the technical aid are claimed);

17.7. estimate of funds expended for adapting the vehicle. The estimate shall specify the vehicle, name of the equipment, other covered services and the sum of funds expended for them (if the expenses for adapting the vehicle are claimed).

V. Closing Provision

18. To recognise as null and void Cabinet of Ministers Regulations No. 92 of 31 January 2006, *Regulations Regarding the Amount of and Procedure for Compensation of the State Budget and Local Government Budget Expenses Ensuring the Medical Treatment, Rehabilitation, Technical Aids and Disbursements of Pensions and Benefits (Latvijas Vēstnesis, 2006, Issue 32; 2009, Issues 104, 178; 2013, Issue 250)*.

Acting for the Prime Minister –
Minister for Internal Affairs,
acting for the Minister for Transport *Rihards Kozlovskis*

Acting for the Minister for Finance –
Minister for Agriculture *Jānis Dūklavs*