

APPENDIX A11

COURT APPROVED PROTOCOL

DEFICIENT CLAIMS/LATE CLAIMS, CLAIMANTS THAT CANNOT BE LOCATED AND DUPLICATE CLAIMS / LATE CLAIMS

REISSUED WITHOUT REVISIONS AUGUST 2024

This protocol applies to Claims made under the Transfused HCV Plan, the Hemophiliac HCV Plan and Late Claims made under the HCV Late Claims Benefit Plan.

DEFICIENT CLAIMS/LATE CLAIMS

1. The Administrator shall make all reasonable efforts to assist claimants in resolving deficiencies.
2. In the circumstances where:
 - (a) the Administrator concludes that it has taken all reasonable steps to assist the claimant in resolving deficiencies;
 - (b) six months have passed since the last step was taken by the Administrator or the claimant without those deficiencies being cured;
 - (c) the Administrator is not aware of further steps actively being pursued by the claimant which could reasonably cure the deficiencies; and
 - (d) the Administrator has insufficient information or documentation to either approve or deny the Claim or Late Claim,the Administrator shall send the claimant a “Notice of Pending Deficiency Denial Letter” in substantially the form attached as Appendix “A”.
3. The Notice of Pending Deficiency Denial Letter shall:
 - (a) set out the deficiencies with the Claim or Late Claim;
 - (b) provide the claimant a deadline of 90 days from the date of the Notice of Pending Deficiency Denial Letter to cure all of the deficiencies (the “Deficiency Deadline”), unless 90 days from the date of the Notice of Pending Deficiency Denial Letter falls on a date that is not a Business Day (as defined in the Settlement Agreement), in which case the Deficiency Deadline will be stipulated as the next succeeding Business Day;
 - (c) inform the claimant of his or her ability to request an extension of the Deficiency Deadline; and

- (d) inform the claimant that if the deficiencies are not cured or the claimant does not request an extension by the Deficiency Deadline, the Claim or Late Claim will be denied.
- 4. Where a claimant wishes to request an extension of the Deficiency Deadline, he or she will be required to submit to the Administrator a “Request Form – Deficiency Deadline Extension”, attached as Appendix “B”, which will require the claimant to set out:
 - (a) the steps already taken to cure the deficiencies;
 - (b) the reasons why the deficiency have not been cured to date; and
 - (c) the new steps the claimant proposes to take to cure the deficiencies and how long these steps will take.
- 5. The “Request Form – Deficiency Deadline Extension” will be provided by the Administrator to claimants upon request and will also be made available on the Administrator’s website.
- 6. Upon receipt of a Request Form, the Administrator shall forthwith review it and determine if the Request Form sets out a plan that could reasonably cure the deficiencies. If so, the Administrator shall grant the extension, which shall not exceed 6 months from the date the Request Form is submitted. The Administrator shall communicate the length of the extension and the terms on which it is granted by sending the claimant a “Notice of Extension of Deficiency Deadline” substantially in the form attached as Appendix “C”.
- 7. If, upon reviewing a Request Form, the Administrator determines that it does not set out a plan that could reasonably cure the deficiencies, the Administrator will deny the Claim or Late Claim and shall send the claimant a “Rejection Letter” substantially in the form attached as Appendix “D”.
- 8. If the claimant has not cured all of the deficiencies or submitted a Request Form on or before the Deficiency Deadline, the Administrator shall deny the Claim or Late Claim and shall send the claimant a “Rejection Letter” substantially in the form attached as Appendix “E”.
- 9. If a claimant has obtained an extension of the Deficiency Deadline but has failed to cure all of the deficiencies on or before the extended Deficiency Deadline, the Administrator shall deny the Claim or Late Claim and shall send the claimant a “Rejection Letter” substantially in the form attached as Appendix “F”.

CLAIMANTS THAT CANNOT BE LOCATED

- 10. Where the Administrator is in receipt of a Claim or Late Claim, but mail sent to the said claimant has been returned as “undeliverable” and the claimant has not provided the Administrator with updated contact information, then the Administrator will:

- (a) make reasonable efforts to locate the claimant through Internet searches or other available means, and
 - (b) where possible, contact the claimant's physician to locate the claimant.
- 11. Where the Administrator is unable to obtain updated contact information for the claimant after completing the steps in 10(a) and 10(b), the Administrator shall process the Claim or Late Claim as having been denied.

DUPLICATE CLAIMS/LATE CLAIMS

- 12. Where the Administrator is in receipt of a Claim or Late Claim that it has determined is a duplicate of a Claim or Late Claim that has already been finalized, the Administrator shall process the duplicate Claim or Late Claim as having been denied and communicate this to the claimant in a letter substantially in the form attached as Appendix "G".