



APPLIES TO ACADEMIC YEAR 2012/2013

## FAK 2618 Personal Injury Claims Handling, part I

### Programme

#### Responsible for the course

Kristian Trosdahl

#### Department

Department of Accounting - Auditing and Law

#### Term

According to study plan

#### ECTS Credits

7,5

#### Language of instruction

Norwegian

#### Introduction

The course includes an introduction to topics in the act relating to compensation in certain circumstances and social security law related to liability for damages and measure out compensation after personal injuries after motor accidents, occupational injury and disease etc.

#### Learning outcome

##### Acquired knowledge

The students shall obtain knowledge about basic key topics of the law of damages and Law on Industrial Injury Insurance and national insurance, and be able to use this knowledge to consider questions about liability for compensation and to calculate correct compensation for personal injury. They shall also know the basic concepts and contributions of the national insurance.

##### Acquired skills

The students shall be able to discuss whether an injury is included in the normal basis of liability, including for damages caused by motor vehicles. They shall also be able to give an account of the basis if liability for drug injuries and product liability. Further they shall be able to calculate correct compensation for inflicted and future expenses, inflicted and future loss of income, compensation for permanent injury, compensation for the death of a person and compensation for permanent non-economic loss based on the act relating to compensation in certain circumstances act and the act relating to industrial injury insurance with regulations connected to this law.

##### Reflection

The students shall acquire a conscious attitude to the fact that their professional advice and decisions they make, especially when they decide if an injury is covered by the insurance or not and the claims settlement, might be of great importance for other people than themselves. Advice and claims handling shall be based on respect for the injured party and his or her situation after the injury.

#### Prerequisites

BI courses: Introduction to Insurance, Introduction to Law 1, Motor Insurance, Motor Insurance Claims Handling 1 or equivalent.

#### Compulsory reading

##### Books:

Trosdahl, Kristian, red. 2012. Personskadeoppgjør. 8. utg. BI Forsikring. Alle kapitler unntatt 3, 9, 12, 13 og 15.1 – 15.3

##### Other:

Domssamling: Sentrale høyesterettsdommer, satt sammen av BI Forsikring  
Lover, forskrifter og utdelt materiell

#### Recommended reading

#### Course outline

Definitions and concepts of tort law

**National insurance**

- Basic concepts, accumulation of pension
- Old-age pensions, disability pensions, benefits for surviving spouse, orphan's pensions, funeral grants

**Liability of law**

- General tort law
- Liability for injury caused by a motor vehicle
- Liability for injury caused by negligence or malpractice by a hospital or a medical professional
- Occupational injury and disease.
- Liability for injuries caused by medicines, product liability, liability for injuries caused by trains, airplanes and at sea

**Compensation for permanent non-economic injury**

- Provisions for compensation for permanent non-economic injury
- Stipulation of the compensation granted – capitalisation, deduction
- Tax regulations

**Expenses up to the date when the compensation is finally settled - Act relating to compensation in certain circumstances (13.6.1969, no. 26) § 3-1.**

- Who can claim compensation – necessary documentation
- What kinds of expenses are compensated?
- Deductions
- Tax regulations

**Incurred loss of income before the compensation is finally settled - Act relating to compensation in certain circumstances (13.6.1969, no. 26) § 3-1.**

- Income before and after the accident
- Deductions
- Method of calculation of the compensation – the “netto-method”
- Tax regulations, interests

**Future lost income after the compensation is finally settled - Act relating to compensation in certain circumstances (13.6.1969, no. 26) § 3-1.**

- Income before and after the accident
- Calculation of the compensation granted – capitalisation, interests
- Deductions
- Tax regulations

**Future expenses from to the date when the compensation is finally settled - Act relating to compensation in certain circumstances § 3-1.**

- Relevant expenses: transport, medical treatment etc
- Calculation of the compensation granted – capitalisation
- Deductions
- Tax regulations

**Compensation in the case of death**

- Who can claim compensation?
- Method of calculation
- Loss of provider
- Expenses
- Deductions

**Standardised compensation for injured children - Act relating to compensation in certain circumstances § 3-2.a.**

- Method of calculation
- When to start the claims handling
- Injuries or disability incurred before the accident

**Reparation**

- Legal terms for reparation
- Reinstatement related to criminal law
- Calculation of the compensation granted
- Claims handling in practice

**Compensation for expenses related to home maintenance**

- Calculation of the compensation granted - what is included in the term "home maintenance", deductions, how to value this kind of work
- Relation to standardised compensation
- The term "Bastrup-tillegget"
- Evaluation of evidence
- Tax regulations

**Liability for injuries caused by medicines and product liability****Claims handling in practice****Computer-based tools**

It's learning (virtual classroom/intranet facilities)

### **Learning process and workload**

Deltid

The course comprises four days (1 + 3) of classroom teaching - a total 28 hours.  
Further there are two mandatory written assignments with individual feed-back.

<b>Aktivitet</b>	<b>Tidsforbruk</b>
Classroom participation	28 timer
Two mandatory written assignments	12 timer
Exam	4 timer
Preparation for class and exam	25 timer
Self-study	121 timer
Follow - up of feedback from teacher	10 timer
<b>Totalt</b>	<b>200 timer</b>

### **Examination**

Four hour individual written exam.

Grade C or better is required for the exam to be accepted for authorization as claims officer by Finance Norway (FNO).

### **Examination code(s)**

FAK 26181 Personal Injury Claims Handling, part I which account for 100 % of the final grade in the course FAK 2618, 7.5 ECTS credits.

### **Examination support materials**

The Norwegian code of laws

The booklet "Hjelpemidler til eksamen i personskadeoppgjør" published by BI Forsikring.

BI-defined exam calculator are allowed. TEXAS INSTRUMENTS BA II Plus™

Examination support materials are specified under examination information in our web-based Student Handbook. Please note the use of calculator and dictionary.

<http://www.bi.edu/studenthandbook/examaids>

### **Re-sit examination**

A re-sit is held at the next scheduled exam in the course.

### **Additional information**