

complaint

Mr S complains that Solid Försäkringar AB declined his claim for medical expenses under his travel insurance policy.

background

Mr S fell and was injured on holiday overseas. He needed hospital treatment and incurred medical expenses.

Solid declined Mr S's claim. It referred to an exclusion in his policy for alcohol abuse. Mr S complained to this service.

Our adjudicator thought Mr S's complaint shouldn't be upheld.

Mr S disagreed with the adjudicator's conclusions, so the matter has been referred to me to make a final decision.

my findings

I've considered all the available evidence and arguments to decide what's fair and reasonable in the circumstances of this complaint.

I've decided not to uphold Mr S's complaint and I'll explain why.

Mr S says the dictionary definition of alcohol abuse is 'the habitual excessive use of alcohol'. And as his injury wasn't the result of 'habitual' alcohol use, his claim should be paid.

Mr S's policy excludes claims arising directly or indirectly from, among other things, 'alcohol abuse'.

The medical evidence from the hospital where Mr S was treated suggests his accident was caused as a result of 'alcohol intoxication'.

It's usual for travel insurance policies to exclude claims that arise as a result of alcohol consumption. Mr S hasn't denied he'd been consuming alcohol when he had his accident. And the medical evidence suggests it was caused by alcohol intoxication.

Mr S's policy doesn't define alcohol abuse, so it's necessary to consider what that term commonly means. Mr S has mentioned one dictionary definition, but others include 'excessive drinking'. In the context of a travel insurance policy, what matters is whether alcohol consumption probably caused the event which led to the claim, not whether the policyholder is in the habit of consuming alcohol excessively. So, I don't think Solid has done anything wrong in declining Mr S's claim.

my final decision

I don't uphold Mr S's complaint against Solid Försäkringar AB.

Under the rules of the Financial Ombudsman Service, I'm required to ask Mr S to accept or reject my decision before 30 December 2015.

Robert Collinson
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