

11. *Future medical expenses and past medical expenses.* Future medical expenses are not the same as medical expenses actually incurred. The former is an expense that it is predicted will be incurred in the future, the latter is an expense that has already been incurred.
12. Therefore:
  - (a) the applicant bears no obligation under s 62(1) to refund his award, and
  - (b) no question as to the Tribunal's discretion under s 62(2) arises.
13. If the Tribunal does not accept these submissions, it is submitted that the Tribunal ought to list a mention of this matter to allow for the applicant an opportunity to make oral submissions.

Dated: 16 June 2017

Andrew T. Conley  
Counsel for the applicant