

Haynes: We need auto no-fault insurance fix now

Laura Haynes

The Detroit News

May 28, 2024

Five years ago, at the Detroit Chamber Conference on Mackinac Island, Gov. Gretchen Whitmer signed the reform law that slashed reimbursement by 45%, forcing homecare providers to turn down service for catastrophic crash survivors and driving many into institutions. As a result of this legislation, some crash survivors have died and others continue to suffer because they cannot access the medically necessary care that they paid for in their insurance premiums, care that was promised by the state.

The Andary decision by the Supreme Court last summer restored reimbursements for those injured prior to 2019, however, thousands of patients injured following the decision along with future victims will not get the care they need and paid for. A fix is needed to provide the medically appropriate care for all crash survivors, no matter when they are injured. Nearly three Michigan residents per day sustain catastrophic injuries in auto crashes, who have paid full personal injury protection coverage (PIP) into the Michigan Catastrophic Claims Association (MCCA).



“There was always the concern in the back of our minds, what about people who were injured prior to the law change,” Whitmer told PBS-TV during end-of-year interviews. “With the Supreme Court ruling, it now gives us the ability to ascertain where can we make additional improvements now... I would suspect that we’ll find common ground early next year.”

Unfortunately, six months later, common ground has still not been found. While the Michigan Senate approved legislation as a bipartisan solution to fix no-fault in October 2023,

The Michigan House has yet to take any action. This legislation would actually reduce costs by implementing a fair and reasonable fee schedule that will reduce unnecessary delays. The votes are there in the Michigan House to pass this legislation by a strong support margin.

Restoring a reasonable home care reimbursement rate is not a significant factor in the cost of auto insurance. In addition, drivers have a choice on purchasing different levels of personal protection insurance (PIP). They can purchase unlimited premium coverage to ensure access to care or a lower cost premium.

As Whitmer and lawmakers convene this week, five years after the signing of the reform law, it comes down to honoring the promises made in the contracts that catastrophically injured crash survivors paid for and need. It is time for Speaker Joe Tate to allow a vote on this critical issue and the governor to show leadership by fixing the auto no-fault reform law.

Laura Haynes is president & CEO of the Michigan HomeCare & Hospice Association.