

Minutes of a regular meeting of the Chippewa County Board of Commissioners, held at the Chippewa County Courthouse, 319 Court St., Sault Ste. Marie, Michigan on the 14th day of April, 2022 at 4:30 p.m.

PRESENT: Jim Martin, Bob Savoie, Erik Baron, Ted Postula and Scott Shackleton

ABSENT: None

The following preamble and resolution was offered by Commissioner Savoie and seconded by Commissioner Baron.

Chippewa County

Resolution 22-4 Urging State Legislature to Amend the Michigan Auto Insurance Reform Act to Address a Reimbursement Cap for Auto Accident Victims

WHEREAS, the Michigan No-Fault Insurance Reform Act of 2019 introduced a fee schedule/cap, which took final effect on July 1, 2021, that set percentage limits on how much residential care facilities, home health care providers, and other persons can be paid or reimbursed for providing treatment or care to auto accident victims; and

WHEREAS, the reimbursement rates under the Michigan Auto Insurance Fee Schedule now allows residential care facilities, home health care providers and other person who lawfully render treatment to received 200% of Medicare, for what Medicare reimburses, regarding of limitation, 55% of a providers Charge Description Master (CDM) as of January 1, 2019, and/or in the following two obligations are not met, 55% of a provider's average charges for which they received payment on January 1, 2019; and

WHEREAS, despite the statutory obligation described above, Michigan Auto Insurance companies are only paying providers 45% of what they were receiving in January 2019; and

WHEREAS, as a result, home health care providers are being reimbursed between \$14-\$18/hour which is below the cost of employee wages as other entry level positions in different industries (fast food) are paying workers between \$15-\$20/hour.

WHEREAS, the Michigan No-Fault Auto Insurance Reform Act applies retroactively including the fee schedule cap, which is fundamentally unfair to individual who purchased coverage and were injured in motor vehicle accidents before the No-Fault Act was amended in 2019 and now have limited access to care; and

WHEREAS, these fee caps affect the auto accident victims who are receiving long-term care and rehabilitation paid for by the Michigan Catastrophic Claims Association (MCCA) through the per-vehicle annual fee that all Michigan drivers were once assessed; and

WHEREAS, the MCCA's 2021 Annual Statement shows its assets are over \$27 billion and its total liabilities are slightly over \$22 billion; and

WHEREAS, some patients who are not able to find long-term catastrophic care services have been forced to leave their homes; and

WHEREAS, even though lifetime medical benefits are still guaranteed under the 2019 Michigan Auto-Insurance Reform Act, for those injured prior to 2019 and for those who purchase Unlimited Personal Injury Protection (PIP) policies, these benefits are meaningless if patients have very limited or no access to services since providers are unable to cover basic labor costs; and

WHEREAS, there are County residents, and their families, who are currently benefitting, or would in the future, from services pertaining to their care, recovery and rehabilitation from catastrophic injuries but are already directly affected if the current law is not changed; and

WHEREAS, without action more than 18,000 individuals with spinal cord injuries, brain injuries and other catastrophic injuries in Michigan will have to find another way to receive care and support (Medicaid) because of this major change to the State's No-Fault auto insurance law despite having purchased insurance policies to protect them and their families; and

WHEREAS, this is a humanitarian crisis born from a government-mandated price fix, that only the legislature can undo; and

NOW THEREFORE BE IT RESOLVED, that the Chippewa County Board of Commissioners hereby urges the Michigan Legislature to amend the Michigan No-Fault Auto Insurance Reform Act to address a sustainable reimbursement cap based on an existing Government payor (Medicaid, Veterans Affairs, etc.) for residential care facilities, and home health providers who provide necessary care to auto accident victims in order to uphold these benefits that have been paid for by the survivors who currently are receiving and who will receive long-term care when purchasing an Unlimited PIP Auto Insurance policy paid by the Michigan Catastrophic Claims Association.


BE IT FURTHER RESOLVED, the Chippewa County Administrator is requested to forward copies of the adopted resolution to the Governor of the State of Michigan, the Senate Majority and Minority leaders, the State House Speaker and Minority Leader, and the members of the Chippewa County delegation to the Michigan Legislature.

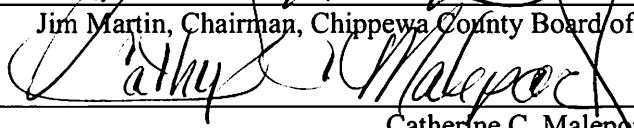
A VOTE WAS TAKEN AS FOLLOWS

AYES: Jim Martin, Bob Savoie, Erik Baron, Ted Postula and Scott Shackleton

NAYS: None

RESOLUTION DECLARED ADOPTED.



Jim Martin, Chairman, Chippewa County Board of Commissioners


Catherine C. Maleport, County Clerk

STATE OF MICHIGAN)
) ss.
COUNTY OF CHIPPEWA)

I hereby certify that the foregoing is a true and complete copy of the resolution adopted by the County Board of Commissioners of Chippewa County at a regular meeting held on the date first stated above, and I further certify that public notice of such meeting was given as provided by law.



Catherine C. Maleport, County Clerk