WHEREAS, the Michigan No-Fault Auto Insurance Reform Act of 2019 enacted medical fee schedule changes effective July 1, 2021 that imposed severe restrictions on reimbursement rates for providers of crucial medical care for motor vehicle crash victims; and

WHEREAS, reimbursement for post-acute rehabilitation care, in-home health care, transportation and other crucial services that do not have Medicare billing codes were capped at 55% of what providers were charging for those services on January 1, 2019; and

WHEREAS, as a result, more than 18,000 Michigan residents with severe brain, spinal cord and other catastrophic injuries, including many in Washtenaw County, have found it impossible to obtain all necessary care that they need for basic survival; and

WHEREAS, dozens of health care and rehabilitation providers have gone out of business, leaving thousands of skilled health care workers unemployed; and

WHEREAS, in many cases, there has been nowhere else for desperate injured survivors to go but to hospitals, which are already severely strained attempting to cope with record numbers of COVID-19 patients; and

WHEREAS, during the current legislative session, several House and Senate bills have been introduced that offer long-term, budget-neutral solutions enabling the continued care of auto crash survivors without changing other aspects of the insurance law, including consumer cost protections; and

WHEREAS, despite assurances when the 2019 Act was passed that the law would be fixed later, if necessary, none of those introduced bills have even received a hearing; and

WHEREAS, because of an unnecessary 56 hour-cap on family attendant care, those families which are caring for catastrophically injured individuals are having to do so either without pay or at a rate less than Michigan's Minimum Wage, and do so even when it goes against medical necessity, and the application of 55% rate caps on all care provided; and

WHEREAS, protection for the catastrophically injured has been eroded further by the recent announcement that the Michigan Catastrophic Claims Association (MCCA),
established by law to provide reimbursement to no-fault insurance companies for medical claims paid in excess of coverage, will be refunding $3 billion from current surpluses being held in the MCCA Trust Fund to policy holders.

NOW THEREFORE BE IT RESOLVED, that the Washtenaw County Board of Commissioners strongly urges the Michigan Legislature to repeal the Michigan No-Fault Auto Insurance Reform Act of 2019 to correct identified deficiencies in the reimbursement cap for services rendered to motor vehicle crash survivors and the Michigan Catastrophic Claims Association to preserve adequate surpluses in the MCCA Trust Fund for the protection of catastrophically injured victims.

BE IT FURTHER RESOLVED that a copy of this resolution be shared with the Washtenaw County delegation of the Michigan House of Representatives and Senate, the Governor, the Michigan Catastrophic Claims Association, as well as shared with all Washtenaw County local units of government as we work together to support these initiatives on the State level.