

Jonathan Spencer was only 19 years old when he was involved in a severe auto accident. He was put into an induced coma for six weeks. Today, Jonathan is able to walk, talk, and live a life he enjoys thanks to the services he receives.

Twenty years ago, I was on my way to work as a cook at Bob Evans, a job I loved. My friend was driving my car and the next thing I knew, **we were in an accident. I spent six weeks in an induced coma and a total of six months in the hospital.** After being discharged, I went to live at a rehabilitation center for eight months and continued to receive therapy and services. Eventually, I transitioned to living with my two aunts, regaining my independence skills through home-based occupational and recreational therapy, job coaching, and counseling services.

I'm now able to handle myself when I'm alone out in the community, which I couldn't do in the beginning. Right after my accident, I was completely dependent on other people and had to re-learn how to take care of myself and my basic needs. Today, I can walk, talk and live a life I enjoy. I go to the gym, socialize with friends, hold down a job, and pursue hobbies like painting, music, and writing.

**The rehabilitative services from my no-fault policy are everything to me and have played an essential role in my life.** They have also been a relief to my family. I now find myself helping other accident victims going through similar things, because of what I have learned from my caregivers.

**I never expected to get into an accident and end up with a brain injury. If I lost access to rehabilitative services, I don't know what I'd do.** I wouldn't be able to work or participate in social activities the way I do now. It's so upsetting that lawmakers are opposed to us having these services, and I hope they realize the impact they have on people's lives.

*- Jonathan Spencer*  
Resident of Milan, MI



## WHY WE NEED ACTION NOW

Jonathan is **one of at least 6,000 patients expected to lose care** if HB 4486 and SB 314 are not passed well before July 1, 2021.

HB 4486 and SB 314 **preserve the cost controls implemented** in the auto insurance law passed in 2019.

HB 4486 and SB 314 provide a narrow fix. **They do not rewrite Michigan's entire fee schedule or undo reforms.**

**The bills offer legislators a stark choice:** Protect access to care for thousands of critically injured accident victims, as well as future accident victims—or take the side of big auto insurance companies, who have raked in record profits during the pandemic.



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# Support HB 4486 and SB 314

## Put vulnerable Michigan citizens first

HB 4486 and SB 314 provide a **narrow, technical fix** to an unintended consequence of Michigan's 2019 auto insurance reform package — **without rewriting the entire fee schedule, adding costs to the system, or changing any other element of auto no-fault reform.**

This technical issue must be addressed well before the fee schedule written into the 2019 package goes into effect after July 1. If it isn't, 9 out of 10 post-acute centers do not have confidence they can continue to operate. Without access to these services, patients with horrific injuries from life-altering accidents will lose access to care, and face chaos and disruption in their recovery process. Your constituents deserve better!

### What does this proposed legislative solution do?



**Preserves access to specialized rehabilitative care** for people with serious injuries sustained in auto accidents — often as a result of somebody else's negligent driving.



**Saves thousands of caregiver jobs**, according to a recent survey by the Michigan Brain Injury Provider Council.



**Maintains cost controls** implemented as part of the 2019 insurance reform legislation.

### Why should you support HB 4486 and SB 314?

- The bills offer a fair and reasonable cap on providers — no more than 200% of what Medicare will pay, just as the reforms dictate. **Providers are still held to their 2019 rates, if these rates are lower than the new fee schedule.**
- They allow **ethical practitioners** to remain in business.
- **They don't add costs to the system** while maintaining the long-term beds and services required to meet the needs of Michigan's patient population.
- **Time is of the essence**—even if the bills are passed quickly and immediate effect is granted, the 90-day waiting period puts additional strain on small businesses trying to keep their doors open to continue providing care.

### Who supports it?

**Affected patients and their families.** If the new fee schedule goes into effect as is, even family caregivers able to keep their loved ones at home will see their reimbursement rates gutted.

**Michigan voters.** In a 2018 statewide survey, nearly two-thirds of voters said we have a responsibility to continue our long-honored promise to provide care for auto accident victims with catastrophic injuries.

**Small businesses.** The MBIPC survey found that 86% of providers had little to no confidence that they would be able to keep their doors open after July. Nearly 5,000 Michigan jobs are on the line—this will be especially devastating for access to care in rural areas, in an already shaky pandemic economy.

### Advocacy organizations, including:

- **The Christopher & Dana Reeve Foundation**
- **The Michigan Assisted Living Association**
- **Disability Rights Michigan**
- **The Brain Injury Association of America**
- **Disability Network/Michigan**
- **Michigan Occupational Therapy Association**
- **Michigan League for Public Policy**
- **Michigan Developmental Disabilities Council**
- **Michigan HomeCare & Hospice Association**