



After eight years of intense therapies, Lane still needs care 24/7. His goal is to someday walk his daughter down the aisle, but can only get there if he can continue his rehabilitation.

The day after Christmas 2012 changed my life. My wife and I were driving from Jackson, Michigan to see my family in North Carolina when we got caught in a blizzard and collided with a semi-truck. The result was a **traumatic brain injury that severely impaired all my physical abilities** but left my cognitive function intact (my wife was spared serious injury). The past eight years have been a whirlwind of hospital visits, brain surgeries, rehab facilities (both inpatient and outpatient), in-home caregivers, and adaptive equipment—including the technology that enables me to write down these thoughts.

**I've been making physical gains over the years, and one of my many goals is to be able to walk my six-year-old daughter down the aisle someday. But the nature of my injury requires 24/7 assistance for the foreseeable future.** I am unable to feed myself, dress myself, use the bathroom independently, or do any number of things I took for granted before my accident. Although my wife is an RN and is the most capable woman I have ever met, it would be impossible for her to take care of my endless needs on her own.



Thousands of people like me depend on ongoing care covered by Michigan's no-fault auto insurance law. Not to get rich, not to cheat the system, not as an excuse to be lazy and collect checks—but simply to live.



**Without the home health agency providing us with caregivers for an average of 14 hours every day, our family could not function properly—especially with a third child on the way.**

**The impact of therapy these past eight years cannot be overstated. I've gone from not even being able to hold my head up to now being able to stand with minimal assistance.**

Thousands of people like me depend on ongoing care covered by Michigan's no-fault auto insurance law. Not to get rich, not to cheat the system, not as an excuse to be lazy and collect checks—but simply to live. That's why I'm pleading with you to support HB 4486 and SB 314, which will ensure access to post-acute brain injury rehabilitation facilities, therapies, and other services that accident victims like myself require to thrive. It provides an immediate solution to a crisis impacting survivors, future accident victims, and providers.

*- Lane Bergeron*  
Resident of Saint Johns, MI

### WHY WE NEED ACTION NOW

Lane is **one of roughly 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 provide a narrow fix. **They do not rewrite Michigan's entire fee schedule or undo reforms.**

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

According to a member survey by the Michigan Brain Injury Provider Council, **86% of post-acute care facilities have little or no confidence they will be able to remain open** after July 1 without HB 4486 and SB 314.

# 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.

**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 jobs are on the line — many in rural areas — in an already shaky pandemic economy.

**The Christopher and Dana Reeve Foundation**, a national nonprofit organization supporting the paralysis and spinal cord community.

**The Michigan Assisted Living Association**, a nonprofit organization with members providing services to over 42,000 persons throughout the state.

**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.