



After surviving a bike-truck collision so severe that paramedics initially assumed he had succumbed to his injuries, 28-year-old Dominique now lives in a residential program where he serves as a mentor to new patients.

In August of 2009, a few months after graduating from high school in Battle Creek, I was hit by a semi-truck while riding my bike to a job interview. The impact sent me flying roughly 100 feet and I was so badly injured, the first paramedics on the scene initially covered my body with a blanket because they assumed I was dead. I suffered brain bleeding and had extensive scarring.

My accident traumatized my family, so they kept me at home for a year afterward as I did physical and speech therapy. But the loss of a normal teenage life sent me into a deep depression. Soon, I became convinced I had nothing left to live for. **It was then that my family sought more intense in-patient treatment at a rehabilitation facility, which was only possible because of my auto no-fault coverage.**

In my recovery, I learned coping strategies to help deal with depression and anger. **Today, the 24/7 support I receive has allowed me to live more independently**, as I work part-time at Peckham Inc. cleaning many of the governmental buildings in Lansing and spending off hours creating artwork—a longtime passion of mine.



Thanks to the specialized rehabilitative services I receive, I have come to accept that my brain and body may be different, and my memory slow, but I will continue to thrive because I was given a second chance at life.



I also serve as a mentor to new patients who may feel as overwhelmed and hopeless as I once did. Thanks to the specialized rehabilitative services I receive, I have come to accept that my brain and body may be different, and my memory slow, but I will continue to thrive because I was given a second chance at life. **However, without a fix to the new auto insurance law's fee schedule, I fear that I will lose this progress and the assistance that I need. If I were displaced from the small group home where I receive care, as a result of the fee schedule—I'd lose my job, access to specialized services, and my mental health will deteriorate. Please don't let that happen.**

*- Dominique Jones*

Battle Creek native and current resident of Mason, MI

### WHY WE NEED ACTION NOW

Dominique 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.

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### 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 — many in rural areas — in an already shaky pandemic economy.

**Advocacy organizations**, including:

- The Christopher and Dana Reeve Foundation
- The Michigan Assisted Living Association
- Disability Rights Michigan
- The Brain Injury Association of America
- Disability Network/Michigan