



# SENIOR DRIVERS:

UNDERSTAND YOUR CHOICES UNDER THE NEW AUTO INSURANCE LAW - THE FACTS!

In early summer 2019, dramatic changes were made to the Michigan auto insurance law. Drivers will be faced with a number of choices in Personal Injury Protection coverage (PIP), that if selected, could have devastating consequences should they, or their loved ones, suffer serious injury in an auto crash.

Under the new law, as of July 1, 2020 seniors will have the option to completely opt-out from no-fault allowable expense PIP benefits if they satisfy the following two conditions:

- 1) the person is covered under Parts A and B of Medicare; and
- 2) the person's spouse and any resident relative has Medicare "qualified health coverage," or has no-fault PIP coverage under a separate policy.

Seniors who select this option are not entitled to coverage through the Assigned Claims Plan (ACP) when injured as an occupant of a motor vehicle, but are likely entitled to ACP coverage (with medical benefits capped at \$250,000) when injured as a non-occupant of a motor vehicle and there is no other insurer in the line of priority from which to recover PIP benefits.

Before you consider this option, it is vital to understand what benefits are not available under Medicare, but may be needed should you be severely injured in an accident. Below is a table identifying the differences between Medicare and no-fault lifetime coverages.

## AUTO NO-FAULT LIFETIME PIP COVERAGE VS MEDICARE

COVERAGE	AUTO NO-FAULT	MEDICARE
<b>Post-Acute Care/Subacute Rehabilitation</b>	<b>Yes</b> - 100% as long as needed	<b>Limited</b> - 100 days at 80%
<b>Long-term Care/Custodial Care</b>	<b>Yes</b> - 24/7 if needed	<b>Not covered</b>
<b>Residential Treatment Programs</b>	<b>Yes</b>	<b>Not covered</b>
<b>Case Management Service</b>	<b>Yes</b>	<b>Not covered</b>
<b>Attendant Care</b> (assistance with care, supervision, and cueing)	<b>Yes</b> - 24/7 as long as needed	<b>Limited</b> (Home Health Aide services 2 - 3 times weekly for 4 hours during acute recovery only)
<b>Guardianship or Conservators</b>	<b>Yes</b>	<b>Not covered</b>
<b>Transportation Services</b> (to and from medical appointments)	<b>Yes</b>	<b>Not covered</b>
<b>Replacement Services</b> (homemaker services, personal care, meal assistance etc.)	<b>Yes</b> - Up to 3 years \$20/day	<b>Not covered</b>
<b>Physical, Speech and other Outpatient Therapies</b> (Patients with severe brain and spinal cord injuries may need therapies for months or even years)	<b>Yes</b>	<b>Limited</b> Will cover 80% and capped at \$2,040/year combined*
<b>Occupational Therapy</b>	<b>Yes</b>	<b>Limited</b> - Will cover 80% and capped at \$2,040/year*
<b>Durable Medical Equipment</b> (walkers, wheelchairs etc.)	<b>Yes</b>	<b>Limited</b> - Will cover 80%
<b>Massage Therapy</b>	<b>Yes</b>	<b>Not covered</b>
<b>Home Modifications to ensure accessibility</b>	<b>Yes</b>	<b>Limited</b>
<b>Vehicle Modifications</b> (accommodate wheel chairs, hand controls, etc.)	<b>Yes</b>	<b>Not covered</b>
<b>Alternative Pain Management</b> (such as acupuncture)	<b>Yes</b>	<b>Not covered</b>
<b>Specialty Assistive Devices</b> (computers, assistive electronics, communication devices, fitness equipment)	<b>Yes</b>	<b>Limited</b>
<b>Wage Loss</b> - if senior is still working	<b>Yes</b> - up to 3 years	<b>Not covered</b>

\*2019 limits according to Medicare.gov

### OTHER CONSIDERATIONS:

- Care options may be limited since not all specialists participate with Medicare
- Seniors are more likely to have previous medical conditions such as Parkinson's Disease, stroke, osteoporosis, diabetes, arthritis and heart disease that may complicate and lengthen the recovery process from an auto accident
- If the senior received a settlement from an accident claim, Medicare is entitled to recover the cost of any medical expenses paid to the claimant.