



**Testimony presented June 9, 2022, by Barry Cargill, President and CEO of the Michigan Home Care and Hospice Association (MHHA), to the House Committee on Insurance.**

**House Bill 5999 - Improve Department of Insurance and Financial Services (DIFS) Complaint Support Documentation**

**MHHA Position: Support.**

On behalf of the 250 members of the Michigan HomeCare and Hospice Association (MHHA), we are pleased to offer support for House Bill 5999, introduced by Representative Coleman. We commend Chairperson Rendon for allowing a hearing on this bill and for continued efforts to keep the reimbursement failures of the 2019 Auto No-Fault Reforms in the forefront of policy decision makers until a timely legislative solution is achieved.

Since July 2, of 2019, insurance company reimbursement practices have been disappointing and detrimental to the financial stability of providers of home care services and other services critical to the health and livelihood of catastrophically injured auto crash survivors. Complaints submitted to the Department of Insurance and Financial Services (DIFS) are quickly dismissed with statements that the Department is “following the law”. Complaints are not even accepted or documented if the basis for the complaint is an auto injured patient is unable to access the medically necessary home care services guaranteed by their policy. Unfortunately, many patients no longer file complaints, knowing the history of the agency if the basis of the complaint is alleging the inability to access necessary patient care due to the 45% cut to home care services from 2019 fees.

It is the role of DIFS to protect the legal rights, health, and well-being, of our states auto insured citizens. If home care is unavailable to an auto injured patient, it’s the obligation of the insurance company to find care for that patient, including negotiating with providers for a fee that may exceed the statutory fee schedule. Its DIFS responsibility to step in when the insurance carrier ignores its obligation under the law. For too many catastrophically injured patients, DIFS inaction to accept and investigate access to care complaints is failing the patient as much or more than the insurance company is failing them.

Auto injured patients payed a premium to their insurance carrier in exchange for certain guaranteed benefits. The track record of DIFS indicates it favors insurance companies over the health and safety of auto injured citizens. HB 5999 becomes a helpful tool to hold DIFS more accountable to legislative oversight and intervention.

We are pleased to support passage of HB 5999, but our priority goal is for prompt action by state legislators to pass a fix to the reimbursement mistakes made when reforming the Michigan Auto No-Fault Law in 2019. HB 5999 will help us move toward that priority goal but there are multiple bills introduced and waiting in House and Senate Committees that will effectively serve as a solution.

Thank you for the opportunity to share our comments with the Committee today.