

# Wilcox Family Story



My name is Catherine Wilcox. I am the mother of the “boy in the wheelchair”. His name is Isaac. After everything that has happened in the past year with regards to Auto No-Fault in Michigan, I felt compelled to write some sort of testament to how the current changes have affected our family. First, some background is in order. I will try to be detailed but brief.

Prior to November 24, 2004 we were a typical family of 5 – my husband, Keelo, and I, and our three healthy boys, Jacob (8), Isaac (4) and Noah (3). Jacob was attending 2nd grade at the elementary school and Isaac had just started preschool. Isaac loved school and anxiously awaited the school bus each morning. Everyone who met Isaac was taken with his easy-going personality and his sweet, seemingly infinite smile. We discovered in preschool that he was talented with his hands. Even though he was only 4 years old, he had made two animal figures with modeling clay of a cat and a dog that were proportionally perfect and anatomically correct right down to the whiskers and long tail on the cat. We were proud parents to say the least and excited to have found something that our child excelled at so early.

Then came the fateful day of November 24. I’ll leave out the ensuing terrifying details of the car accident that involved our entire family of five. By 6pm that evening our nightmare had begun. Although properly restrained for his age in a booster seat, Isaac sustained a severe spinal cord injury that resulted in paralysis. Our wonderful sweet little four-year-old who stole everyone’s heart was now trapped in a body that was unable to move. Despite this prognosis, as anyone would be, we were all happy he was ALIVE, and mentally, still our Isaac.

The technical terminology for Isaac’s condition is a C2 incomplete ventilator dependent quadriplegic. This means that the spinal cord was injured in the cervical (neck area) section of the spine at the number 2 vertebra counting from the head downward (the skull is considered number 1). The incomplete means that the spinal cord was not completely severed and that there may exist some potential for some sort of recovery (in a complete injury there is no hope for recovery). Ventilator dependent means that he relies on a machine to do his breathing for him as the brain and spinal cord are what direct the diaphragm to make us breathe. The term quadriplegic means that (quad, meaning 4) all 4 of his appendages, both arms and both legs, are affected by the injury.

However, we were extremely blessed in the fact that mentally Isaac remained intact. He can see, hear, taste, smell and touch with his head. He is able to talk. He has movement of his head, although through therapy we have had to work on regaining the strength in his neck. He has some movement in his shoulders. Below his shoulders there is nothing. No movement, no sensation.

From the very beginning my husband and I decided that our son deserved as normal a life as possible despite his newly acquired physical disabilities. We would expect nothing less from any of you, as parents, were you in our same position and your child was in Isaac's. As parents we are called to do what is best for our children. This isn't necessarily what is easiest or most convenient for us. Thus began our new life, complete with new perspectives on, well, everything. Isaac now needed to accomplish life in different ways. To breathe he must use a machine, to walk he must roll (in a wheelchair), to write he must type with special computer equipment. But his thoughts and feelings are his own. **He is a person, whole and complete, even without a perfectly working physical body.**

Fast forward 17 and a half years. Isaac is now 21 years old. Due to the auto no-fault coverage we had from our auto insurance policy and the resultant contract for that coverage with State Farm & the MCCA, Isaac has been able to thrive for the last (almost) 2 decades. He received the medical care he needed to address all the physical issues that a spinal cord injury brings. He received the physical therapy he needed to recover function and strength and learn new skills in living with his injury. He was able to obtain the equipment he needed to function within his home and out in society. He had nursing care from his family and outside agencies to take care of his day-to-day needs. He was able to attend mainstream school throughout his education and in 2019 Isaac received his diploma, graduating from Forest Hills Central High School. Much of this would not have been possible without no-fault. **If you or your family have not been touched by a severe auto accident, I'm afraid people do not fully understand how important the Michigan Auto No-Fault law was. And now that that system has been dismantled, few realize how devastating the effects have been on the families that relied on it.**

However, let me be clear. We relied on it as a benefit of coverage that we bought and paid for. Coverage that is covered under Michigan contract law. Coverage that had specific parameters of benefits for coverage purchased. This was not a "hand-out" situation. We are not charity cases. **The 18,000 people (including us), receiving benefits from the Michigan Catastrophic Claims Association (MCCA) paid for that coverage and have contracts to that effect with our individual insurance providers. State Farm & the MCCA were and are legally bound to provide Isaac's care that is reasonable and medically necessary. With the changes to the no-fault law those contracts have been determined by our legislature and insurance companies, to be null and void.** The law has been changed to significantly slash benefits to claimants. And although our accidents took place before, and for some of us long before, the law changed, our contracts have been cancelled and **we are losing the benefits we paid for.**

The biggest change affecting our family is the 56-hour limit on family caregivers. Isaac has been from day one prescribed 24-hour RN nursing care. As you can imagine, if you can't move or breathe on your own, you need someone with you all the time. Under the previous no-fault parameters, this was not a problem. We could hire a nursing agency to provide staff for Isaac's care needs. For any hours that were not covered by outside nursing staff, my husband and I, or another trained family member, could provide the care and be compensated a reasonable wage for doing so. We were trained at the University of Michigan in every aspect of Isaac's care. It is actually U of M policy that 2 people be trained in the patient's care before they can even be released from the hospital. For years my husband and I were employed with a homecare company. Given the nursing shortage, we provided at least half, sometimes more, of Isaac's care. The employment offered us a way to provide the care our son needed and also to have an income to pay our bills. As family caregivers we were paid a fair wage but much less than a registered nurse, so State Farm & the MCCA also benefited. On average my husband and I would work about 100 hours per week. Depending on how much nursing care we had sometimes it would be less, sometimes more.

With the new changes to no-fault we are limited to 56 hours between the 2 of us. Now keep in mind Isaac's care needs have not changed. Right now we have nursing care for 56 hours per week provided by an outside agency. State Farm is reimbursing less than the hourly wages nurses earn today. I am employed with that same agency and am allowed to work 56 hours per week. But if you can do basic math, you will see that that means that Isaac has care for 112 hours per week. But there are 168 hours in a week. What happens for the 56 hours that are left? Well, Isaac still needs care, so we still provide that care for those 56 hours per week. We just don't get paid for any of it. We provide the care for free. And the insurance company that has a responsibility to pay for Isaac's nursing care gets a big fat discount because now they can hide behind the new law that caps family care at 56 hours.

**Why does all this matter?** Because when you work and get paid for a certain amount of hours and then that gets cut in half, or more, it affects things financially in a significant way. Think of your income. Now cut that in half. How would your life change? In what ways? Would you be able to make your house payment? Pay all your bills? Some people would say, just go get a job. And how would we do that when Isaac needs care 24/7? You can't be in two places at the same time. And that's the problem. Isaac needs care. We provide that care. It is a job. We cannot work a job providing the care Isaac needs and be at another job at the same time. We cannot work a job we are not getting paid for and work another job that we are getting paid for at the same time. Get it?

**State Farm has only offered to pay \$12/hour for us to take care of Isaac. \$12/hour to perform highly skilled medical care. No health insurance, no 401k, no taxes withheld, etc. This is less than half of the amount we were paid before July of 2021. We are unable to pay for health insurance for our family.**

**There is so much more to this issue than can be condensed into a couple paragraphs and this issue is only one of many that are wreaking havoc on families throughout Michigan.** For us, we are trying to provide the care our son needs to live in the most basic way, as well as keep our heads above the water financially. Right now, we live on the compensation I receive for the 56 hours that we are allowed each week. We are barely making ends meet. In the past year we have gone through all of our savings. And **if the no-fault law changes are not fixed there is no end in sight for us. We have been put in an impossible situation and been told to “just move on”.** (Jason Wentworth - Speaker of the Michigan House of Representatives)

So I speak for all the families out there fighting for their benefits, their rights and their very lives: it's time to take the gloves off.

To our so-called “representatives” in Lansing . . . Who exactly is it you're representing? Because it certainly isn't your constituency that are suffering and even dying due to this current situation.

To the key people blocking any fix, you know who you are . . . Where is your humanity?

To the people who profess to be Christians turning a blind eye to what's happening . . . You better go read your bible again because I think you're missing the point.

To the people who say with no compassion that we should not have kept our injured loved ones alive . . . A person is not defined by their physical body. What would you say to Stephen Hawking?

To the insurance industry . . . You are greedy liars that will come up with any way possible to get out of fulfilling your responsibility to your customers.

To those who have died because of this disgraceful situation . . . May you finally have peace. You paid the ultimate price.

To the families that continue the fight . . . May you have continued strength and resolve, and hope in each new day. **Our loved ones are worth it!**

**SOLUTIONS**

- Continuing the percentage formula of Medicare as outlined in SB1/PA21 (as is).

- Provide language similar to our MI Worker's Compensation & Disability Act for Home Health Care Providers shall be reimbursed either at the providers usual & customary charges or reasonable payment, whichever is less.

-This assures critically needed care & services would continue.

- The addition of Medical Utilization Review, in the 2019 Statute, assures cost controls & sustainability.

-Shouldn't drivers who purchase Unlimited Lifetime PIP coverage options, and therefore pay the MCCA fee, expect a robust Post-Acute network?

# Missy Springsteen



When I was 15, I was a Sophomore in High School. I was a JV Cheerleader for Football and Basketball. My plan was to join the Softball team in the Spring for my second year in a row, but my world came to a screeching halt.

**I was in a car accident that left me paralyzed.** After months of recovery and fighting to get back to some sense of normalcy, I was a Varsity Football Cheerleader, coached Rocket Cheerleading, and graduated with Honors all from a wheelchair. **My thought was never to give up, but to figure out how to pursue my goals.** Despite all the obstacles, I went away to college, got married, had a baby, got divorced, remarried, and gained 3 stepsons. I worked full-time for my spine surgeon's office for 14 years, was a soccer and baseball mom, cub scout mom, PTA member, classroom mom, wheelchair tennis player, and a pro at throwing birthday parties for 5 boys.

**Twenty eight years and I am still alive. I don't think I would be if it wasn't for No-Fault Coverage. The law that just went into effect has me worried for my future.**

While doing that I was dealing with pressure wounds, UTIs, blood clots, elbow tendonitis, blown shoulders, and pain. **You never really return to being healed, your spine bone heals but you are left with a lifetime of medical issues when you have a Spinal Cord Injury.** I have had countless surgeries, an amputated right leg, reconstruction done to my bowel and bladder systems, multiple stents, chronic UTIs, severe Osteoporosis, prolonged bed rest due to wounds, depression, and anxiety.

# Missy Springsteen



## The most concerning change is regarding Caregivers.

I depend on my Caregivers every day. My physical limitations and medical complications stop me from being independent. The uncertainty of Agencies providing Caregivers to Auto Injured clients because of the decrease in rates and the limitation on hours that a family member can be a caregiver drastically impacts my life. I can't get out of bed on my own. I can't tend to wounds on my own. **I have been experiencing panic attacks while trying to fight once again to hold on to my life.**

I now have to submit a list of daily activities and the time it takes a Caregiver to help me to the Auto Insurance Company for them to determine if my needs qualify for more than 56 hours a week. My Physician has me on an order of 24 hours of care per day. **My adjustor at the Auto Insurance Company wants me to justify to her why I have limitations and need help.** That should be between me and my Physician.

I have done the best that I could with the cards I was dealt so many years ago. I was told No-Fault would cover my needs related to my injuries from that accident for the rest of my life. **I feel forgotten, betrayed, an inconvenience, and a burden by the Michigan Government.**

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