



Michigan No-Fault Law: Benefits & Rights After an Accident

In recent years, Michigan enacted significant reforms to its No-Fault auto insurance system, introducing changes that affect the benefits and rights of auto accident victims. Understanding these provisions is crucial to you receiving the compensation you deserve.

Personal Injury Protection (PIP) Coverage

Before 2019, Michigan required unlimited lifetime PIP coverage for all drivers. Under the reformed law, drivers can now select from various PIP coverage levels. Some conditions apply to these coverages, so it is important to choose your coverage carefully, as this will directly impact the benefits available to you after an accident.

Key Benefits Under Michigan's No-Fault Law

Allowable Expenses

Coverage (up to the amount selected) for reasonably necessary medical care, hospital/facility stays, medical products, and rehabilitation. Expenses can include:

- Medical expenses related to the accident
- In-home patient care
- Attendant care
- Medical transportation
- Home modifications
- Physical therapy
- Case manager costs
- Vocational rehabilitation
- Guardianship costs
- Mileage to/from treatment

Wage/Work Loss Benefits

Tax-free compensation for lost income if your accident-related injuries prevent you from working, typically 85% of your gross earnings up to the state statutory maximum for up to three years from date of accident. This may also be paid if you were temporarily unemployed at the time of the accident, subject to conditions.

Replacement Services & Attendant Care Benefits

Replacement services include reimbursement for services you can no longer perform yourself due to your injuries, such as housekeeping, meal preparation, childcare, pet care, yard work, or errands, etc., up to a \$20 daily limit.

Attendant care covers the services of individuals or professionals who provide care and assistance with personal daily living activities that can no longer be performed independently by the injured person (such as supervision, bathing, dressing, medication administration, or toileting). These services can be provided by licensed caregivers, e.g., nurses or home health workers, or by family members and friends.

Be aware that recent reforms have introduced limitations on certain benefits, such as caps on friends and family-provided attendant care hours. We will help advise you on what applies in your circumstances.

Disclaimer: *The outcome of a particular matter can depend on a variety of factors—including the specific factual and legal circumstance that may come to light during initial investigation.*

Survivors Loss Benefits

Required to be paid to dependents in the event of death due to a covered accident; includes lost income of the deceased, a nominal amount towards funeral/burial costs, and replacement services.

Critical Considerations

Filing Deadlines: You must file an application for No-Fault benefits with your insurance company within one year of the accident date. Failing to do so will forfeit your right to these benefits.

Benefit Limitations: Understand the specific limitations of your PIP coverage, especially if you've selected a capped option. Medical expenses exceeding your coverage limit will become your responsibility.

Timing: You must file a lawsuit within one year of being denied benefits from your insurance company.

Get Help from an Attorney

Navigating the complexities of Michigan's No-Fault law can be extremely challenging, and making an uninformed choice may negatively impact your future. An experienced personal injury attorney can help.

- **Assess Your Coverage:** Determine the adequacy of your selected coverage in relation to your injuries.
- **File Claims Promptly:** Ensure all necessary documentation is submitted within required timeframes.
- **Explore Additional Compensation:** Evaluate the feasibility of pursuing claims against at-fault parties to cover expenses exceeding your PIP coverage.

By understanding your rights and proactively managing your claims, you can maximize the benefits available to you under Michigan's No-Fault laws. Call us today for a no-cost consultation and free evaluation of your coverages.

Notes:

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