

**STATE OF MICHIGAN  
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

**Bulletin 2019-22-INS**

**In the matter of:**

**Attendant Care Hourly Limitations**  
\_\_\_\_\_ /

**Issued and entered  
this 1<sup>st</sup> day of November 2019  
by Anita G. Fox  
Director**

Section 3157(10) of the Insurance Code (Code), MCL 500.3157(10), as added by PA 21 of 2019, provides that an automobile insurer is only required to pay benefits for attendant care rendered in an injured person's home for up to 56 hours per week if the care is provided by an individual related to the injured person, domiciled in the injured person's household, or with whom the injured person had a business or social relationship before the injury. Under Section 3157(14), MCL 500.3157(14), the limitation on this type of attendant care applies only to care "rendered after July 1, 2021" and only to attendant care provided by the above-listed individuals.

It has come to the Director's attention that some automobile insurers may already be applying the 56-hour per-week provision in advance of its effective date of July 2, 2021.

Automobile insurers are prohibited from applying the limits established in Section 3157(10) prior to July 2, 2021. Consumers are urged to file a complaint with DIFS if they believe their attendant care benefits have been improperly limited. In addition, even after the hourly limitation takes effect on July 1, 2021, it may be possible to obtain additional attendant care benefits under Section 3157(11) of the Code, MCL 500.3157(11), which allows insurers to offer additional hours of attendant care provided by the above-listed individuals.

The Director will monitor consumer complaints and insurer conduct to ensure that injured persons are receiving the full amount of attendant care benefits to which they are entitled. Insurers' decisions whether to contract for additional attendant care benefits will be subject to the Director's authority to perform utilization review under Section 3157a of the Code, MCL 500.3157a.

Any questions regarding this bulletin should be directed to:

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/s/

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Anita G. Fox  
Director