STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES

Bulletin 2020-39-INS

In the matter of:

Veterans' Affairs and TRICARE Enrollment
and No-Fault Auto Insurance
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Issued and entered
this 12th day of October 2020
by Anita G. Fox
Director

This bulletin supersedes Bulletin 2020-37-INS, issued September 2, 2020, in order to include information related to TRICARE enrollment.

Beginning July 1, 2020, Public Acts 21 and 22 of 2019 allow individuals who have qualified health coverage (QHC) to make certain choices regarding their no-fault coverage. QHC is health or accident coverage that does not exclude or limit coverage for injuries related to motor vehicle accidents, and for which any annual deductible for the coverage is $6,000 or less per individual; or enrollment in both Medicare Parts A and B. See MCL 500.3107d(7)(b).

This bulletin addresses inquiries DIFS has received from veterans and their dependents who use the U.S. Department of Veterans Affairs (VA) as their primary health care provider, and military families and their dependents who have coverage from TRICARE through the U.S. Defense Health Agency, regarding whether enrollment in VA or TRICARE benefits is considered to be QHC for purposes of no-fault auto coverage.

VA Enrollment

This bulletin advises veterans and their dependents that enrollment in VA benefits does not qualify as QHC because it excludes or limits coverage for injuries related to motor vehicle accidents.

VA is a health care provider and does not provide health insurance. As a provider, VA has limited authority to reimburse veterans for emergency care in a non-VA facility, even when veterans who are injured in a motor vehicle accident need emergency care in such a facility. As a result, not all enrolled veterans would be eligible for reimbursement for automobile injury related care provided by a non-VA facility. Because of this limitation on reimbursement for care related to motor vehicle accidents, VA enrollment does not qualify as QHC.[1]

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[1] Reimbursement is available only for services covered by VA's medical benefits package as set forth in 38 C.F.R. § 17.38.To be eligible for reimbursement for non-service-connected injuries such as auto accidents, the veteran must be enrolled in the VA healthcare system, must have received care within the 24 months preceding the furnishing of emergency treatment, and must be personally liable for the emergency treatment. If any one of these requirements is not met, a veteran will not qualify for reimbursement and will have to pay out-of-pocket for all treatment. In addition, reimbursement for emergency care is not available for all enrolled veterans in all situations. For example, a veteran is required to receive authorization from VA within 72 hours of the start of care; must meet the definition of "covered veteran"; and must be receiving emergency treatment from an eligible entity or provider.

TRICARE Enrollment

Unlike VA enrollment, TRICARE is insurance and qualifies as QHC because TRICARE does not exclude coverage for motor vehicle accidents and all TRICARE policies have a deductible of less than $6,000 per individual.

TRICARE covered individuals may visit www.tricare.mil/Plans/Eligibility/DEERS/milConnect/Proof for instructions on how they may obtain Department of Defense (DoD) documentation that names the TRICARE covered individual(s). Michigan enrollees can use the DoD documentation to demonstrate proof of TRICARE coverage for purposes of purchasing no-fault coverage. However, Michigan enrollees should be aware that the DoD has advised that, due to federal regulations and privacy laws, DoD documentation does not include enrollees' dates of birth. Accordingly, TRICARE enrollees may need to provide their auto insurers or agents with dates of birth for individuals to be excluded from PIP coverage separately from the DoD documentation, and should consider providing a copy of this bulletin to their auto insurer in case of questions. Auto insurers should rely on DoD documentation as proof of QHC.

Veterans, military families, and their dependents are strongly encouraged to consider their insurance needs and budget and to consult with an auto insurance agent, an insurance company, or a financial advisor when selecting an auto insurance policy.

Any questions regarding this Bulletin should be directed to:

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