

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

Bulletin 2020-37-INS

In the matter of:

**Veterans' Affairs Enrollment
and No-Fault Auto Insurance**

**Issued and entered
this 2nd day of September 2020
by Anita G. Fox
Director**

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).

DIFS has received inquiries from veterans and their dependents who use the U.S. Department of Veterans Affairs (VA) as their primary health care provider regarding whether enrollment in VA benefits is considered to be QHC for purposes of no-fault auto coverage. 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

Veterans 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.

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.

Any questions regarding this Bulletin should be directed to:

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/s/

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