

Michigan man, who beat the odds after car crash, fights against no-fault insurance reform

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"We're not putting a ceiling on this guy because he keeps astounding people." -
Maureen Howell

ST. CHARLES, MI — Sam Howell could barely speak seven years ago. He pointed at letters on a board to communicate.

He struggled to stand by himself in his driveway.

Last week, Sam, 26, opened the door for me at his home. He spent the next hour interrupting his parents, talking so much that he began to test their patience.

But Howell's parents are patient. They had to be, as they helped their son recover from a February 2005 car crash that put him in a coma for two months and had doctors give him less than a 3 percent



Sam Howell, 26, of St. Charles, walks through his kitchen with his mom, Maureen Howell, close behind.

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chance of survival.

He's come a long way since I last **interviewed the Howell family in 2005**.

He's acing science classes at Delta Community College. He set North American records for shot put and javelin for athletes with disabilities and qualified for the Paralympic trials last year.

But Sam's recovery is far from over. He uses a walker or cane and does not speak with full clarity. His cognitive abilities have been impaired and he has difficulty understanding body language and sarcasm. The right brain damage also causes him to interrupt other people.

Still, just a few months ago Sam ran on the beach.

"His knees were going up and they were pumping and his arms were going and I was being dragged behind him with my hands securely attached," said his mother, Maureen Howell. "He still has that as his goal, he still wants to be able to independently walk and run and do all the physical things he once did. We're not putting a ceiling on this guy because he keeps astounding people."

Sam seems to agree.

"I break down barriers left and right," he said in response to his mom.

He continues to receive treatment from cognitive, physical, occupational and recreational therapists.

That treatment and Sam's improvements have all been possible, the Howells say, due to the coverage he receives

under Michigan's no-fault auto insurance system.

Without it, they would have gone bankrupt within months, said Jim Howell, Sam's father.

Michigan requires drivers to carry no-fault insurance, which provides unlimited lifetime medical care for auto-related injuries. Policy holders pay an **additional \$175 per insured vehicle** per year to cover the costs.

No-fault insurance has been a hot topic in Lansing, with contention over proposed legislation to let drivers choose the maximum personal injury protection coverage, ranging from a maximum of \$500,000 to \$5 million.

Michigan is the only state in the nation that offers unlimited lifetime medical benefits, and proponents of the reforms say the system is underfunded and ready to collapse. They say legislation is needed to offer consumers choices in levels of coverage. It also seeks to keep costs in line by applying the fee schedule used in the workers' compensation system to payments made by auto insurers to health care providers.

Supporters of the current system say the costs will get shifted to other areas, such as Medicare and Medicaid.

"This is not going to save anyone a cent," Sam said. "It's just going to put the cents we pay in a different pot, that's all."

Jim Howell said the changes would limit Sam's ability to get in-home care from his parents. The law limits the number of hours of care that can be reimbursed through insurance. Maureen Howell left her job as a critical care nurse to care for Sam full time, and Jim Howell also left his job to stay home with Sam.

Opponents of the no-fault system point to cases of people inappropriately cashing in on insurance checks for providing in-home care.

The Howells say they haven't been enriched by insurance payments and would do anything to avoid their situation.

"Our life hasn't changed for the better, by a long shot," Maureen Howell said.

The **Howells have become vocal opponents** of the legislation that they say would hurt accident victims' chances of getting the care they need to survive and recover.

The family recently talked about the issue on the **Frank Beckmann show** on WJR-AM 760 in Detroit and is appearing in several segments on **Michigan's Big Show** hosted by Michael Patrick Shiels.

They also appear on radio ads funded by the Eisenhower Center, a traumatic brain injury facility in Ann Arbor.

The recent push comes with about two months remaining in the current legislative session. If the no-fault reform legislation does not pass during the lame duck session, lawmakers would have to start over again next year.

"There's always some fear of a lame duck vote," said Jim Howell.

But he doesn't think the legislature has enough votes to pass the bill.

Jim Howell served as a Republican in the state House from 1999 to 2004. He also worked as an assistant attorney general and has represented both accident victims and

insurance companies as a lawyer.

He said he didn't like the idea of no-fault reform when he was serving in the legislature, despite the push coming from the Republican Party. He now serves as vice chairman of the Brain Injury Association of Michigan, a staunch opponent of the no-fault reform.

“If you look at it from a policy standpoint, it's going to have some very dramatic impacts,” he said. “It's kind of like policy whack-a-mole. If you knock something down, something else is going to pop up, whether it be insurance rates ... Medicaid on the state level having you pay it through there, people just not getting the care that they could otherwise use to recover.”

Under the proposed law, patients with severe injuries would use personal health insurance after their auto insurance limits are reached. Beyond that, there's Medicare for people with certain disabilities (regardless of age) and a tort system that allows victims to sue for health care costs.

“We're trying to give long term control to the people of the state by giving them options on exactly how much they want to take in the form of risk, and what we also want to do is save the system because ... this system is ready to collapse in the next few years if we don't do something to control the cost,” bill sponsor Rep. Pete Lund, R-Shelby Township, said on the **Frank Beckmann show** in September 2011.

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