

Rollin' Times from the Michigan Paralyzed Veterans of America



Protesters rally in support of The Coalition to Protect Auto No-Fault (CPAN), the statewide consumer advocacy group that has long fought to protect victims of catastrophic auto crashes, while calling for legislative urgency in passing Senate Bills 530 & 531 on October 3, 2023 at the State Capitol.



About this Issue:

MPVA has been a staunch advocate for our catastrophic auto crash survivors here in Michigan. Please see the President's article for more details and be sure to check out all that is happening this fall through this edition of the Rollin' Times.

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Disclaimer:

The Rollin' Times is a publication of the Michigan Chapter of Paralyzed Veterans of America. It is designed to inform the members of the PVA and other interested parties on veterans' issues, legislation, legal decisions, medical technology and other matters deemed to be relevant to the disability community.

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The Michigan Paralyzed Veterans of America (MPVA) is a chapter of the Washington, D.C.-based Paralyzed Veterans of America. A Congressionally chartered veterans service organization, MPVA has been assisting veterans with spinal cord injuries or diseases, including Multiple Sclerosis and ALS (Amyotrophic Lateral Sclerosis, better known as Lou Gehrig's Disease), in Michigan since 1961.

MPVA programs include:

- Veterans' Benefits
- Wheelchair Sports and Recreation
- Spinal Cord Injury Research
- **Equipment Donation**
- Advocacy to eliminate architectural barriers and protect civil rights for persons with disabilities
- Referral Services for assistive devices, housing, employment and transportation
- Literature on a variety of topics including self-care, independent living, and disability rights.
- MPVA is a nonprofit organization and receives no federal funding. MPVA relies on grants, sponsorships, and private and corporate donations to support its programs.

The MPVA headquarters is in Plymouth, Michigan. Our service officers are based out of the McNamara Federal Building in Downtown Detroit.

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President's Report

By: Michael Harris, President, MPVA

CPAN and Survivor Advocates Rally at the Capitol to End the #MICareCrisis

he Coalition to Protect Auto No-Fault (CPAN), the statewide consumer advocacy group that has long fought to protect victims of catastrophic auto crashes, called for legislative urgency in passing Senate Bills 530 & 531 during a rally held on October 3, 2023 at the State Capitol.

The Rally to End the Care Crisis, which featured legislators, providers, and survivors, shined a light on the devastating impact of the state's 2019 auto reform changes. This important event was cohosted by CPAN alongside the Michigan Brain Injury Provider Council (MBIPC), the Brain Injury Association of Michigan (BIAMI), We Can't Wait, the Michigan Interfaith Coalition, and the Michigan Home Care and Hospice Association.

The rally included emotional speeches from crash survivors and their loved ones, care providers, advocates, and lawmakers. In a poignant moment, the rally gave tribute to the 14 individuals who have passed away due to a loss in care since the new law went into effect in 2021.

Senate Bills 530 & 531, recently introduced by State Senator Sarah Anthony and State Senator Mary Cavanagh. If passed, these bills will correct critical flaws stemming from auto insurance changes signed into law in 2019. The bills will create a reasonable and sustainable fee schedule that must be honored by insurance companies when paying post-acute rehabilitative care providers. Post-acute providers offer highly specialized care to patients once they have left a hospital setting.

On October 4, 2023, a hearing took place before the Senate Finance, Insurance, and Consumer Protection Committee, where Michigan Paralyzed Veterans of America (MPVA) submitted a "letter of support" for SB 530 & 531.



Former Detroit Red Wing team member, Vladimir Konstantinov, sits in his manual wheelchair on stage accompanied by two women making presentation during rally.

Under the law as it currently stands, survivors injured after June 11, 2019—including anyone injured in the future—will be held to the arbitrary and dangerous limitations placed on care reimbursements and attendant care. According to a study by the nonprofit public health institute MPHI, as of April 2022, the law had forced the closure of more than 30 businesses and

the loss of more than 4,000 jobs. Those numbers will continue to increase unless a reasonable fee schedule is implemented by the Michigan Legislature.

Long-term care providers do not just provide care to people seriously injured in an automobile accident, but to others in the disability community like seniors, veterans, and persons with other serious illnesses/injuries, such as COVID-19. The loss of these services will impact far more than auto injury patients.



Woman walks along Capitol lawn in Lansing as she views different wheelchair models during rally.

For over two years, crash survivors, their family members, providers of essential rehabilitation services and care, and disability advocates at the state level have pleaded for a narrow fix to the law so that crash victims, regardless of the date of their injuries, have access to the care they need.

An arbitrary reduction in reimbursement rates by nearly 50% for people injured after June 11,

2019 is not just and it cannot sustain the continuum of care auto crash survivors need. The legislature must act swiftly to implement a solution that is fair, reasonable, sustainable, and that ends the care crisis for people injured in car crashes after June 11, 2019.

While the auto insurance industry continues to defend the oppressive fee cap system and its devastating impact on crash survivors, offering no acknowledgment of the catastrophe, MPVA and its coalition partners continue to offer solutions and urges the legislature to ACT NOW. We are hopeful that the Governor has been genuine with past comments expressing a desire to have a solution on her desk and we are optimistic this legislature will deliver with urgency.

The MPVA has no interest in putting insurance companies out of business. They provide a valuable service. But we owe it to all Michigan residents who have been and/or will be seriously injured in automobile accidents in the future to find meaningful solutions that focus on maintaining the integrity of the program, while at the same time reducing rates.

For MPVA, healthcare is not a political issue. In many cases, it is literally a matter of life and death. We are unconcerned with partisan arguments or political affiliations. We simply want our legislators to get it right. They need to be honest about what is working, what needs fixing, and how to fix it.

Legislators need to solve the inequity that PA 19 of 2021 has created. Failure to do so could force even more post-acute rehabilitation clinics across the state out of business; these closures could continue for years to come if the fee schedule reimbursements are not properly addressed.

The Michigan Legislature has the power to right this wrong while still maintaining the objectives set forth by the auto insurance reform of 2019. For survivors of catastrophic auto accidents waiting is not an option!



Executive Pirector's Report

By Jaclyn Kochis, Executive Director, MPVA

You Can Make a Difference!

It has been over 15 years since I came into the Michigan Paralyzed Veterans of America (MPVA) to interview for the Development Director position; as I sat in the Chapters' lobby looking over the newsletters and magazines on display, I noticed a bumper sticker with the MPVA's logo and the slogan, "More Than One Way to Stand Tall". At the time, I remember thinking how brilliant that messaging was and I excitedly began to ponder its potential uses in the Chapters' marketing material.

Over a decade later, I have a new job title, but continue to ponder that slogan as I help to direct the Chapters' steps. The meaning has taken on a much broader, and more significant scope for me as the years have progressed. "More than One Way to Stand Tall" has come to symbolize our organization's fierce passion to defy the "traditional" way of living life: playing sports, working, receiving healthcare, traveling and so much more. Most of all, PVA has been, and will continue to be, a trailblazer in advocating for the civil rights of our veterans with spinal cord injury or disease (SCI/D).

Air Travel on the Mind

It is incredible to think that nearly 40 years have passed since President Ronald Reagan signed the Air Carrier Access Act (ACAA) into law. The ACAA prohibits disability-based discrimination in air travel. While this was a landmark act, it certainly did not rectify all access issues with air travel. Also, we can all agree that advancements in technology changed things for the positive in certain cases and the negative in others. Yet, there are still many obstacles for people with disabilities when it comes to air travel.

The major problem with commercial air travel continues to be that airplanes have very few accessibility features to accommodate passengers with physical disabilities. Unlike other forms of mass transportation which allow wheelchair users to travel while seated in their wheelchairs, commercial air travel requires power wheelchair users to have their highly customized, expensive devices stowed in the cargo hold for the flight. This leaves baggage handlers to figure out how to fit these devices into cargo holds not designed to receive or stow them. It also leaves the passengers who depend on them anxious that their device will not be returned to them in a usable condition.

Upon returning from PVA's Fall Board of Directors Conference in Orlando, Florida, in October, I was again alerted to how prevalent these issues are when speaking with members who had also traveled to the conference. These uncertainties and frustrations cause great distress for our members and all people living with disabilities when accessing their right to travel.

Additionally, each airport across the country has different security protocols that travelers must adhere to, making the uncertainties of what to expect greater than most other forms of travel. The very real fear of having a wheelchair damaged and/or lost is significant and simply unacceptable! Imagine what it is like to lose your luggage through air travel, a reality many have experienced — now imagine what it would be like to lose your form of mobility when you are participating in air travel. It is sad to say with all the technology around us, it happens every day. It is devastating to say the least!

The MPVA and our parent Chapter, Paralyzed Veterans of America (PVA), do not intend to stop fighting the good fight when it comes to air carrier access. We must

do more until this issue is made to be safe and dignified for all travelers!

Join us in our #PVActionForce innovative and reach out to your local legislators by signing a pre-written letter by visiting: https://www.votervoice.net/.../PVA/Campaigns/102729/Respond.

After all, the MPVA exists to support and advocate for the idea that there is "More Than One Way to Stand Tall". Members and friends, speak up!

You Can Help Make a Difference!

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Interested in getting some business recognition? Advertise with MPVA!

The Michigan Paralyzed Veterans of America (MPVA) is a nonprofit service organization that works to address the needs and concerns of veterans who have sustained an injury or disease of the spinal cord. You may not know, but, the MPVA services the entire state of Michigan!

One of our largest resources is our quarterly newsletter: "The Rollin' Times."

This magazine reaches out to over 2,000 individuals and businesses throughout Michigan and beyond.

CALL NOW and reserve your spot in MPVA's Rollin' Times Newsletter!
Contact, Jaclyn Kochis, Executive Director, at
(248) 476-9000 ext. 122 or email at: jkochis@michiganpva.org

| Advertisement Size | Specifications | Cost |
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| Business Card | 3.5 x 2 in; size of a standard business card. Black and white ad that is featured on one of issue. | \$50.00 |
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| Full Page Black and White | 8.5 x 11 in. Full page, black and white ad | \$200.00 |
| Full Page Color | 8.5 x 11 in. Full Color ad on inside, back cover. | \$300.00 |
| 1/2 Page Back Cover/Color | 5.5" x 8.5"; Full Color on the outside, back cover. (This is a preferred ad spot as it is located right next to the mailing address!) | \$400.00 |



ду: Ray Brown

Quilts of Valor



I am pictured left in this photo with my fellow service men and women who were honored by Quilts of Valor this fall.

s a Director serving the Board at the Michigan Paralyzed Veterans of America (MPVA), I am often tasked with sharing content in this newsletter. Members generally see my contributions centered around Sports and Recreation, and while that is a great passion of mine, I wanted to take an opportunity to share something else with you for this edition of the Rollin' Times.

I am lucky to be involved in many veteran-centric events and was recently honored by an amazing organization called Quilts of Valor (QOV). Their's is a unique mission—to cover Service Members and Veterans touched by war with comforting and healing quilts.

The organization began in 2003 under the stewardship of Catherine Roberts. Catherine's son, Nat, was deployed in Iraq at the time. According to Catherine her vision began with a dream:

"The dream was as vivid as real life. I saw a young man sitting on the side of his bed in the middle of the night, hunched over. The permeating feeling was one of utter despair. I could see his war demons clustered around, dragging him down into an emotional gutter. Then, as if viewing a movie, I saw him in the next scene wrapped in a quilt. His whole demeanor changed from one of despair to one of hope and well-being. The quilt had made this dramatic change. The message of my dream was: Quilts = Healing.

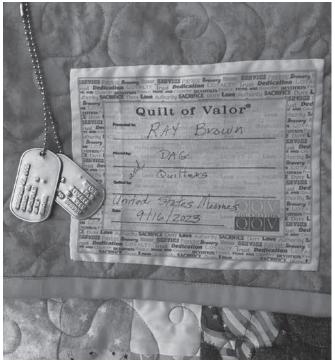
The model appeared simple; have a volunteer team who would donate their time and materials to make a quilt, one person would piece the top and the other would quilt it. I saw the name for this special quilt: it was Quilt of Valor, a QOV."

As this edition of our newsletter reaches your mailbox or computer, we will have already celebrated Veterans Day on November 11. However, I believe every day is a great day to honor the men and women that serve



Posing with my awesome quilt.

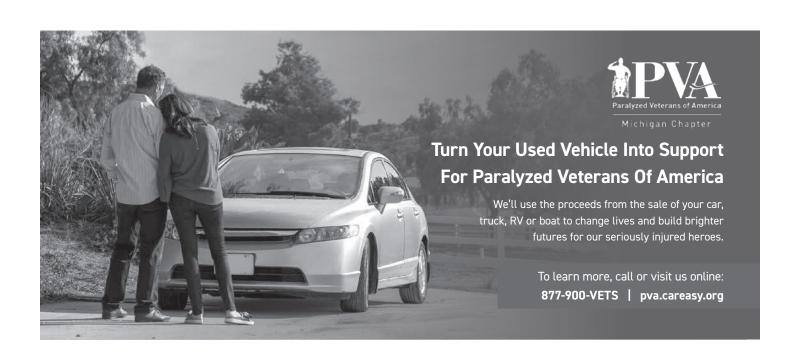
and I am proud to share the mission of like-minded organizations working hard to give back to veterans. I hope you enjoy the photos embedded throughout this article showing the craftmanship of QOV and the smiles on the many veterans faces, who like me, were very touched to be recognized by QOV.



Quilts of Valor add an inscription on each piece they make that recognizes the veteran, their branch of service; a beautiful touch.

To find out more information, or to get involved with the MPVA and/or Quilts of Valor, please contact Jaclyn Kochis at: jkochis@michiganpva.org! Because that's how we roll!





Government Relations & Advocacy

By: Mike Harris, President, MPVA

MI Supreme Court Brings Long Awaited Justice to Some Auto Crash Survivors

he Michigan Supreme Court issued an opinion on July 31 upholding the Michigan Court of Appeals' decision regarding auto crash survivors injured before 2019 changes to the auto no-fault law. This ruling solidified that changes to attendant care and other lifetime benefits cannot be applied to individuals injured before the law went into effect.

In a 5-2 opinion authored by Justice Elizabeth Welch, the court ruled the legislature had not clearly articulated an intent to slash benefits for those injured before the changes took effect. This ruling, and the decision from the MI Court of Appeals, are based on the pivotal case, *Andary v. USAA Casualty Insurance Company*.

"The insurance policies covering plaintiffs Ellen Andary and Phillip Krueger bind the insurance companies to their promise to provide Personal Injury Protection (PIP) benefits under the law that existed at the time of injury to those individuals covered by the policies," Welch wrote. "The 2019 no-fault amendments do not clearly convey an intent to retroactively modify these vested contractual rights."

The Supreme Courts' majority did vacate part of the Court of Appeals' ruling which found that, even if the legislature had expressed that intent, the Contracts Clause in the Michigan Constitution would prevent insurers from reneging on their agreed upon level of care. The Supreme Court instead chose not to touch that argument, deeming it "not necessary."

This Battle Won, Still Fighting to Find a Fix

This decision preserves the rights of thousands of injured people to have their no-fault medical care benefits paid under the reasonable and customary charge standards that applied to their benefits under the original no-fault law and their no-fault insurance policy. This decision is not only a win for these injured survivors, but also a win for all consumers; it means the existing rights consumers have under contracts, such as insurance policies, are better protected from legislative interference.

Ellen M. Andary, Philip Krueger, & Eisenhower Center, v. USAA Casualty Insurance Company and Citizens Insurance Company of America, was filed in the Ingham County Court in October 2019, declaring portions of Michigan's 2019 auto insurance law as unconstitutional.

The lawsuit primarily addresses two provisions of the law that went into effect on July 2, 2021, the significant limitations placed on the right of survivors to receive reimbursement for in-home attendant care services provided by family members, and the non-Medicare 55% fee schedule that dramatically reduces the amount medical providers can be reimbursed by auto insurance companies for necessary care.

Despite the decision, survivors injured after July 2, 2021, including anyone injured in the future, will still

be held to the arbitrary and dangerous limitations placed on care reimbursements and attendant care.

be just as vital as it was 4 years ago. The MPVA remains committed to advocating with legislators to find a fix to the #MICareCrisis.

The Michigan Paralyzed Veterans of America (MPVA), along with countless survivors, advocates, and providers, see the need to find a fix to the 2019 law to

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Michigan Chapter

Visit: MICHIGANPVA.ORG



The mission of the Michigan Paralyzed Veterans of America (MPVA) is to enhance the quality of lives of veterans with spinal cord injury or disease, as well as all citizens with disabilities, by: advocating for civil rights, assuring quality health care, supporting continued recreation, research, education and healthy living.

Thank You for Supporting Our Mission!





Photo: Stephanie Strickland, Senior National Service Officer

VA Burial benefits

Am I eligible for allowances to help pay for a Veteran's burial and funeral costs?

ou may be eligible for Veterans burial allowances if you're paying for the burial and funeral costs and you won't be reimbursed by any other organization, like another government agency or the Veteran's employer. You must also meet all of these requirements.

One of these relationships or professional roles describes your connection to the Veteran:

- You're the Veteran's surviving spouse (Note: We recognize same-sex marriages.), or
- You're the surviving partner from a legal union (a relationship made formal in a document issued by the state recognizing the union), or
- You're a surviving child of the Veteran, or
- You're a parent of the Veteran, or
- You're the executor or administrator of the Veteran's estate (someone who officially represents the Veteran)

The Veteran must not have received a dishonorable discharge, and one of these circumstances must be true:

- The Veteran died as a result of a service-connected disability (a disability related to service), or
- The Veteran died while getting VA care, either at a

VA facility or at a facility contracted by VA, or

- The Veteran died while traveling with proper authorization, and at VA's expense, either to or from a facility for an examination, or to receive treatment or care, or
- The Veteran died with an original or reopened claim for VA compensation or pension pending at the time of death, if they would've been entitled to benefits before the time of death, or
- The Veteran died while receiving a VA pension or compensation, or
- The Veteran died while eligible for a VA pension or compensation at their time of death, but instead received full military retirement or disability pay

Or:

- The Veteran had been getting a VA pension or compensation when they died, or
- The Veteran had chosen to get military retired pay instead of compensation

Note: We'll also provide an allowance for the cost of transporting a Veteran's remains for burial in a national cemetery.

You can't get burial allowances for certain individuals

We don't provide burial allowances if the individual died in any of these ways:

- On active duty, or
- While serving as a member of Congress, or
- While serving a federal prison sentence

What documents do I need to send with my application (VA form 21p-530 EZ)?

You'll need to send copies of these documents:

- The Veteran's military discharge papers (DD214 or other separation documents)
- The Veteran's death certificate
- Any documents or receipts you have for the cost of transporting the Veteran's remains
- A statement of account (preferably with the letterhead of the funeral director or cemetery owner)

The statement of account should include this information:

- The Veteran's name
- The type of service or item purchased
- Any credits
- The unpaid balance

How do I apply?

Fill out an Application for Burial Benefits (VA Form 21P-530EZ).

Download VA Form 21P-530EZ (PDF)

Mail the application and copies of supporting documents to your nearest VA regional office. For questions call the VA Regional office at 800-827-1000 or contact your accredited service officer.





Sports & Recreation

By: Paul Kilgore

Adaptative Racing

First Sergeant who rides and races recumbent trikes. I just returned from the 2023 Ozark Off Road Adventure in Bentonville, AR which was hosted by the Ozark Adaptive Sports Association. They had over 40 adaptive riders from all over the country and Canada, to include many riders from PVA. This three day off road event was held in around Bentonville Arkansas which has over 300 miles of cycling trails varying from paved greenways to advance black diamond single tracks, and jump lines and everything in between. This is one of many adaptive cycling events which I have attended this year wearing my PVAR kit and representing this amazing organization.

September brought me down to the semiannual PVA Off Road Expo at the Pocahontas State Park in Chesterfield, VA. The 4 day event is an amazing off road riding experience that I have been attending for several years.

In August I was at the Adaptive Sports Centers; Adaptive Mountain Biking World Championships, which was held in Crested Butte, CO. It was my second year attending this event. It is a weeklong event that was attended by 7 other PVA riders. The end of the week culminates in a two-day stage race. Last year I placed 2nd overall in the non-assisted recumbent trike category, and this year I was atop the winner's podium placing first.

July saw me taking a few medals' in both the National Senior Games (NSG), and the Department of Veterans Affairs Virtual Golden Age Games. The NSG was held in Pittsburg, PA, and is held every two years. The next event will be held in Des Moines, IA in 2025. I raced the 5 and 10 km Time Trials (TTs) at this event. Earning gold medals for the 55 – 59, year old category for recumbent trikes. I also was given two silver medals through the VA racing virtual TTs of 5 and 20 km's for my age category for recumbent trikes. I also took 1st at the first ever North Country Short Track Mountain Bike Series Race.



Featured are various racing medals I have been fortunate to collect during my competitions.

Back in May I raced my recumbent trike at the two events. The first was the Tennessee Paracycling Open (TPO), which was a two day, three race event that was held in Oak Ridge, TN which I placed 3rd in three separate races; TT, Circuit, and CRIT. The following week I competed in the SE Valor Games and was third in the TT.

This year I also competed and placed multiple other races to include; three races at the Swamp Classic in Gainesville, FL, The Croatan Buck 50 Gravel Race, and the first ever PVA Off Road Open. In addition to these

races I also concluded a multi month online virtual event, Race Across Alaska, which was 1,150 miles and had me riding from DEC – MAR. I also was the 2024 Recumbent Champion for the Project Echelon Racing (PE) Paracycling Series on RGT for the recumbent trike category as well. I also rode in my annual Face of America Ride with World Team Sports, riding 112 miles from DC to Gettysburg, this year was my third year at this event.

I look forward to returning to many of these same events, and more in 2024. I am already signed up for the PE event in December, and am returning as a Race Ambassador for the 2024 Virtual Race Across Alaska Winter Challenge. The registration for www.RAAWC. com opens on the 1st of November, and anyone can join. If they use the discount code NY2024 you can

save on the entry fee. This event allows participants to walk, run, hike, ride, swim and log miles any way you can, and have lengths from 30 – 2 k miles.

I very much enjoy my adaptive cycling and the adventures that it has taken me on around the country. I enjoy racing both in person and virtually, as well as, local rides, both on and off road. Adaptive cycling and being a part of the PVA has been a wonderful way for me to make myself better, meet hundreds of other likeminded people and help myself grow and stay fit, and healthy. I look forward to being able to ride and race for many more years to come!

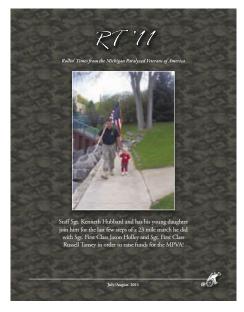


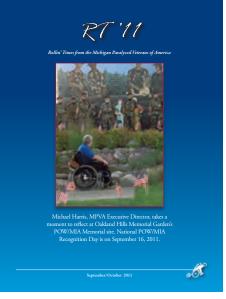


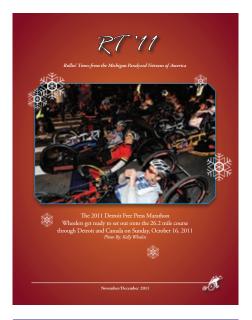
Did you know that Paralyzed Veterans of America (PVA) hosts an Annual Women Veterans Empowerment Retreat? Two lucky female members of our Chapter will be able to enjoy this experience in 2024! Don't miss your chance--contact the Chapter to learn more and see how you can get signed up for awesome experience that is free of charge! Learn more by emailing: jkochis@michiganpva.org

Or call: **(248) 476-9000 ext. 122.**

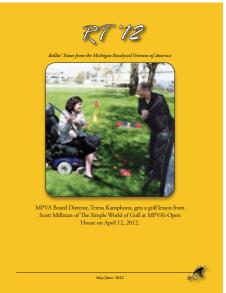
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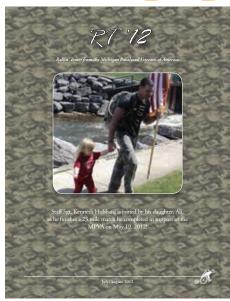


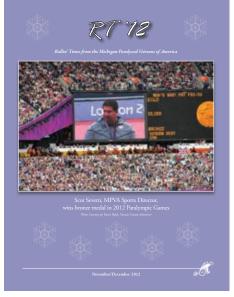




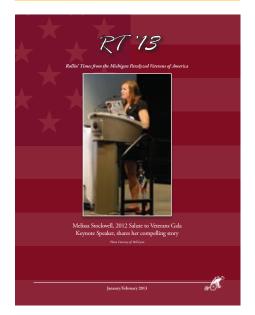
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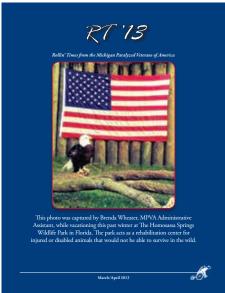


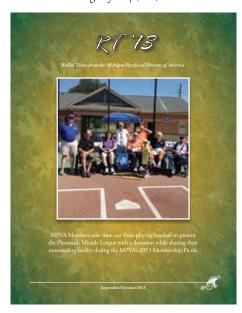




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2023 Fall Edition

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A Member Chapter of Paralyzed Veterans of America
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Did you know that the MPVA has a Loan Closet Program? Our Loan Closet Program offers durable medical goods, free of charge, on a first come first served basis. The MPVA qualifies "durable medical goods" as any device that may assist with mobility (wheelchairs, walkers, canes, commode seats, shower chairs, adult diapers, and more). These gently used, donated items, are donated to us and are available for those who may need them. You do not have to be a veteran to utilize this program and there is no cost!

To find out more about this program and the items that are available, contact or email Brenda Wheater at:

Phone: (800) 638-6782 or (248) 476-9000 Email: chapterhq@michiganpva.org

Please keep in mind that these items change on a daily basis and are dependent on items that are donated. We also ask that you schedule an appointment to drop off or pick up items.

Please help in spreading the word about this program! Thank you so much!

Michigan Paralyzed Veterans of America 46701 Commerce Center Drive Plymouth, MI 48170 www.michiganpva.org