



**Michigan Property & Casualty Guaranty Association**  
PO Box 531266 · Livonia, Michigan 48153-1266 · Phone: (248) 482-0381

Dear Claimant:

The Michigan Property & Casualty Guaranty Association ("the MPCGA") is an association of all property and casualty insurers authorized to transact insurance in Michigan. The MPCGA was created pursuant to the Property and Casualty Guaranty Association Act, MCL 500.7901 et seq. ("the Act"), to handle claims of insolvent member insurance companies to the extent those claims are "covered claims" under the Act. Your member insurance company has been placed into liquidation.

The MPCGA has not reviewed or received former claim files or policy documents. Upon receipt of the requested materials, the former claim file and policy documents, the MPCGA will review your claim for possible continuation of your Michigan No Fault benefits pursuant to the Act with the following reservations.

The MPCGA is not an insurance company, and the statutory coverage provided by the MPCGA under all of the provisions of the Act may not coincide with the coverage available under the policy of the insolvent member insurance company. For example, the Act contains limitations on covered claims that may be less than the coverage available under the policy.

Section 7931 (3) of the Act, MCL 500.7931 (3); MSA 24.17931 (3), provides:

If damages or benefits are recoverable by a claimant other than from any disability policy or life insurance policy owned or paid for by a claimant or by a claimant or insured under an insurance policy other than a policy of the insolvent insurer, or under a self-insured program of a self-insured entity, the damages or benefits recoverable shall be a credit against a covered claim payable under this chapter. The claimant, insured, or self-insured entity shall first exhaust all coverage provided by any policy or the self-insured retention of an excess insurance policy. ...

The Michigan No-Fault Act, 1972 PA 294; MCLA 500.3101; MSA 24.13101 specifically MCLA 500.3114 and MCLA 500.3115 establishes orders of priority of coverage.

You may have been entitled to receive Personal Insurance Protection ("PIP") benefits from your insolvent member insurance company. As a result of their insolvency and the application of the Act, all other sources of insurance recovery become primary, regardless of the priority order. As such, you must immediately notify the appropriate insurer.

As an occupant of a private vehicle other potential sources of recovery are:

- 1) The auto insurer or a policy in which you are listed as the named insured;
- 2) The auto insurer of a spouse, whether residing with you or at some other location;
- 3) The auto insurer of a resident relative living under the same roof;
- 4) The auto insurer of the owner of the occupied vehicle;
- 5) The auto insurer of the driver of the occupied vehicle.

You are required to complete and return the attached No Fault Questionnaire, Affidavit on Other Insurance, Authorization for Release of Records, Affidavit of Medicare Eligibility and Statement of Claim and other forms if applicable (Attendant Care/Replacement Services/W9 Form). **If you have not submitted a claim to any insurer of a lower priority, you must do so immediately.** It is suggested you provide them with a copy of this letter when you submit your claim.

Your assistance in providing the requested information will result in a prompt determination of coverage available from the MPCGA. Please note that we can't review your request for continued Michigan No Fault benefits until all the requested documents are received including your former claim file and policy documentation.

The MPCGA does not waive any other provisions, conditions, terms or portions of the policy above and the Act, nor should any of the acts or positions described herein be construed in any way as an estoppel against the MPCGA with respect to other matters.

**Your failure to supply the requested information results in the automatic claim denial for failing to qualify the matter as a "covered claim" under the Act.**

Sincerely,

MICHIGAN PROPERTY AND  
CASUALTY GUARANTY ASSOCIATION

CLAIM DEPARTMENT



## **PIP QUESTIONNAIRE**

**I. Other available auto insurance (other than the insolvent insurer)** (please check one)

\_\_\_\_\_ At the time of the auto accident I did have other auto coverage available.  
(Please identify the vehicle owner, driver, insurance company, address, telephone number, claim representative and claim number, if available)

\_\_\_\_\_ At the time of the auto accident I did not have other auto insurance available.  
(Please complete section I and II of the attached affidavit)

**II. Other available medical insurance including health insurance** (please check one)

\_\_\_\_\_ Currently, I have other medical or disability coverage available.  
(Please identify the insurer, address, phone number, contract number or policy number and effective date)

\_\_\_\_\_ Currently I do not have other available medical or disability insurance.  
(Please complete section III of the attached affidavit)

**III. Medical Claim**

A) Please list all auto accident injuries.

B) List the name and date of all hospitals that you received treatment for auto accident injuries

C) List all injuries you are currently treating for (or wish to seek treatment for)

D) Identify the type of treatment you are receiving and frequency

E) List the names and addresses of all physicians you are currently treating with for your auto accident injuries.

F) When is your next scheduled appointment to see your treating physician(s)?  
Please identify the date and physician.

G) Do you require prescription or over the counter medication/supplies? \_\_\_ yes \_\_\_ no  
If yes, please identify each item and frequency of use

H) Did you work with a nurse case manager previously? \_\_\_ yes \_\_\_ no  
If yes, identify their name and phone number

I) Have you applied for Medicare? \_\_\_ yes \_\_\_ no  
If yes, are you receiving Medicare? \_\_\_ yes \_\_\_ no

J) Have you applied for Social Security Disability benefits? \_\_\_ yes \_\_\_ no  
If yes, are you receiving benefits? \_\_\_ yes \_\_\_ no

Effective date of benefits \_\_\_\_\_  
Amount received \$\_\_\_\_\_ per \_\_\_\_\_

K) Are you receiving Medicaid? \_\_\_ yes \_\_\_ no

**IV. Attendant Care / Replacement Services**

- A) Are you receiving attendant care or replacement services \_\_\_\_ yes \_\_\_\_ no  
If yes, identify the prescribing physician name, address and phone number

- B) Specifically itemize each service being performed and the amount of time per day.

- C) For all attendant care/replacement services being provided please have each person performing the services complete a W9 Form and attendant care/replacement service form.

**V. General Information**

- A) State your address at the time of the accident

- B) State the accident location and what police department was called to the scene  
(if available attach a copy of the police report)

- C) Provide a brief description of the accident

- D) List your former claim number

- E) List your insolvent member insurance company policy number and attach a copy of the declaration page and all endorsements, if available.

- F) List all outstanding/unpaid benefits and attach supporting documents

- G) Attach copies of your Application for No Fault Benefits if available, and any other pertinent documents you wish us to review

- H) Rank the following methods of communication in order of your preference

_____	Mail	_____
_____	Phone	_____
_____	Cell phone	_____
_____	Email	_____

Please note, if any of the boxes below are not acknowledged, the application will be considered incomplete and will be returned for further completion. The claim cannot be considered until all acknowledgments are checked.

I have reviewed this document and attest that the information contained therein is true and accurate.

I acknowledge I have read the following fraud warning:

A person who presents or causes to be presented an oral or written statement, including computer-generated information, as part of or in support of a claim to the Michigan Property & Casualty Guaranty Association (“MPCGA”) for payment or any other benefit knowing and with an intent to injure, defraud, or deceive the MPCGA that the statement contains false information concerning a fact or thing material to the claim commits a fraudulent insurance act under the insurance code that is subject to the penalties imposed by law. **A claim that contains or is supported by a fraudulent insurance act as described in this subsection is ineligible for payment or benefits by the MPCGA.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date completed



**AFFIDAVIT ON OTHER INSURANCE**

Please note, if any of the boxes below are not acknowledged, the application will be considered incomplete and will be returned for further completion. The claim cannot be considered until all acknowledgments are checked.

I have reviewed this document and attest that the information contained therein is true and accurate.

I acknowledge I have given notice to all other available insurance.

I acknowledge I have read the following fraud warning:

A person who presents or causes to be presented an oral or written statement, including computer-generated information, as part of or in support of a claim to the Michigan Property & Casualty Guaranty Association (“MPCGA”) for payment or any other benefit knowing and with an intent to injure, defraud, or deceive the MPCGA that the statement contains false information concerning a fact or thing material to the claim commits a fraudulent insurance act under the insurance code that is subject to the penalties imposed by law. **A claim that contains or is supported by a fraudulent insurance act as described in this subsection is ineligible for payment or benefits by the MPCGA.**

PLEASE COMPLETE ALL SECTIONS THAT APPLY

**Section I**

I, \_\_\_\_\_, state that I have a claim for medical and/or lost wage benefits against the insolvent carrier \_\_\_\_\_.

I, \_\_\_\_\_, further state that at the time of my accident, I did not own an automobile covered with No Fault insurance (other than the policy of insolvent member insurance company) nor did my spouse or any other resident relative.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_

**Section II**

I, \_\_\_\_\_, further state at the time of the accident, there was no other No Fault insurance coverage available to me at any level of priority (other than the insolvent member insurance company).

Signed \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_

**Section III**

I, \_\_\_\_\_, further state that I currently have no other medical, health or disability coverage available to me.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Witness \_\_\_\_\_ Date \_\_\_\_\_



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**AUTHORIZATION FOR RELEASE OF RECORDS**

Patient/Claimant Name: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_  
MPCGA Claim No.: \_\_\_\_\_  
Date of Loss: \_\_\_\_\_

I authorize any physician, surgeon, dentist, nurse, therapist, hospital, ambulatory surgery center, rehabilitation provider, nursing home, home for the aged, adult foster care facility, home health agency, hospice, behavioral health hospital or partial hospitalization program, outpatient clinic, ambulance company, employer, health insurance carrier, or any other insurance company, including but not limited to the following:

\_\_\_\_\_

to furnish to any representative of the MICHIGAN PROPERTY & CASUALTY GUARANTY ASSOCIATION (“the MPCGA”), including its Executive Director, Jeffery D. Jenkins, all health information and records in their possession identifying the above stated patient/claimant, including but not limited to health information and any records relating to any injury, treatment, medical history, physical condition, insurance documents and claim records. The information that can be disclosed includes the following, if any exists relating to the claimant: mental health treatment information, substance use disorder treatment information, HIV/AIDS treatment information, genetic testing information, communications with a social worker, information about communicable and sexually transmitted diseases, and all substance abuse treatment information. I understand that upon my written request, I have the right to receive a list of entities to which my information has been disclosed pursuant to this release. I further authorize the release of any assignment of rights entered into between myself and any other person or entity.

This information will be used for the purpose of verification, evaluation, and negotiation of the Claimant’s insurance claim with MPCGA and other legal uses relating to that claim.

This authorization expires when the Patient/Claimant’s claim for insurance benefits from MPCGA is finally adjudicated and closed.

***You have the right to revoke this authorization at any time. The only exception is if the authorized entities have already acted in reliance upon the authorization. If you want to revoke your authorization, send us a written note telling us that your authorization is revoked. Send this note to the address listed at the top of this form.***

It is completely your decision whether or not to sign this authorization form. The Organization or person named in this authorization cannot refuse to treat you just because you choose not to sign.

With the exception of substance use disorder treatment information, mental health information or HIV/AIDS information, MPCGA may have no legal duty to further protect the confidentiality of your health information. In some cases, MPCGA may re-disclose the information as it wishes.

I HAVE READ AND UNDERSTAND THIS FORM. I AM SIGNING IT VOLUNTARILY. I AUTHORIZE THE DISCLOSURE OF MY HEALTH INFORMATION AND RECORDS AS DESCRIBED IN THIS FORM.

\_\_\_\_\_  
Patient/Claimant Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Personal Representative Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Nature of Representation

## Information Concerning Affidavit of Medicare Eligibility Form

Under the Medicare Mandatory Insurer Reporting Law (Section 111 of Public Law 110-173), which is implemented by the Center for Medicare and Medicaid Services (CMS), certain mandatory reporting requirements may apply to your claim.<sup>1</sup> The MPCGA is required to determine whether you are eligible for Medicare benefits, and if so, to report information regarding your claim to CMS. In order for us to determine whether you are Medicare eligible, you are also required to complete the enclosed Affidavit of Medicare Eligibility Form. Depending upon your status you may be required to complete this form every year.

Please refer to the attached copy of a June 23, 2008 CMS Alert: Collection of Social Security Numbers, Medicare Health Insurance Claim Numbers (HICNs) and Employer Identification Numbers (EINs) (Tax Identification Numbers), which discusses the appropriateness of collecting this data from you.

Please use your exact name as it appears on your social security card (no nicknames). Please note that this form is required to be submitted every year.

In the event your claim qualifies as a “covered claim” under the MPCGA Act the information you provide us will be used only to determine your Medicare status and to enable us to meet our CMS reporting obligations. The completion of the form does not have any effect on your Medicare coverage.

The MPCGA can not consider or pay on any claim until we are in receipt of a completed Affidavit of Medicare Eligibility.

Additional information can be found on the CMS website at: <http://www.cms.gov/>.

<sup>1</sup> See Section 111 of the Medicare, Medicaid and SCHIP Extension Act of 2007 (MMSEA), 42 U.S.C. § 1395y(b)(8).



**Office of Financial Management/Financial Services Group**

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DATE: June 23, 2008

SUBJECT: Collection of Social Security Numbers (SSNs), Medicare Health Insurance Claim Numbers (HICNs) and Employer Identification Numbers (EINs) (Tax Identification Numbers) - ALERT

This ALERT is to advise that collection of SSNs, HICNs, or EINs for purposes of compliance with the reporting requirements under Section 111 of Public Law 100-173 is appropriate.

SSNs and EINs:

- The SSN is used as the basis for the Medicare HICN. The Medicare program uses the HICN to identify Medicare beneficiaries receiving health care services, and to otherwise meet its administrative responsibilities to pay for health care and operate the Medicare program. In performance of these duties, Medicare is required to protect individual privacy and confidentiality in accordance with applicable laws, including the Privacy Act of 1974 and the Health Insurance Portability and Accountability Act Privacy Rule. Please note that The Centers for Medicare & Medicaid Services (CMS) has a longstanding practice of requesting SSNs or HICNs for coordination of benefit purposes.
- The EIN is the standard unique employer identifier. It appears on the employee's federal Internal Revenue Service Form W-2, Wage and Tax Statement received from their employer. The Medicare program uses the EIN to identify businesses. The establishment of a standard for a unique employer identifier was published in the May 31, 2002 Federal register, with a compliance date of July 30, 2004.

**A new Mandatory Insurer Reporting Law (Section 111 of Public Law 110-173) requires group health plan insurers, third party administrators, and plan administrators or fiduciaries of self-insured/self-administered group health plans to report, as directed by the Secretary of the Department of Health and Human Services, information that the Secretary requires for purposes of coordination of benefits. The law also imposes this same requirement on liability insurers (including self-insurers), no-fault insurers and workers' compensation laws or plans. Two key elements that will be required to be reported are SSNs (or HICNs) and EINs. In order for Medicare to properly coordinate Medicare payments with other insurance and/or workers' compensation benefits, Medicare relies on the collection of both the SSN or HICN and the EIN, as applicable.**

As a subscriber (or spouse or family member of a subscriber) to a group health plan arrangement, your SSN and/or HICN will likely be requested in order to meet the requirements of P.L. 110-173 if this information is not already on file with your insurer. Similarly, individuals who receive ongoing reimbursement for medical care through no-fault insurance or workers' compensation or who receive a settlement, judgment or award from liability insurance (including self-insurance), no-fault insurance, or workers' compensation will be asked to furnish information concerning their SSN and/or HICN and whether or not they (or the injured party, if the settlement, judgment or award is based upon an injury to someone else) are Medicare beneficiaries. Employers, insurers, third party administrators, etc. will be asked for EINs.

To confirm that this ALERT is an official Government document and for further information on the mandatory reporting requirements under this law, please visit the CMS website at [www.cms.gov/](http://www.cms.gov/)

MMSEA111AlertSSNandHICNandEINcollection062308final

