

CPAN 

2014 annual report

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John Cornack
CPAN President

From
The
President

A message from CPAN President John Cornack

CPAN made it through another successful, but challenging year in 2014. As we reflect back on our coalition’s efforts to protect Michigan’s no-fault insurance system, we have much to be proud of and much more work yet to do.

On the policy front, CPAN members stood strong against HB 4612, an ill-conceived proposal to severely restrict medical and rehabilitation benefits for Michigan’s most seriously injured accident survivors. Our members’ letters, calls and social media support were critical in keeping this legislation from moving past the House.

But as successful as CPAN and its allies have been in protecting no-fault from bad legislation, accident survivors and health care providers have come under increased attack in the state legal system. The courts are also an arena where CPAN has been able to help protect Michigan consumers as we continued our effort in 2014 to open the records of the Michigan Catastrophic Claims Association (MCCA). We are now taking this fight all the way to Michigan’s highest court. We also participated in several amicus briefs, weighing in on key cases that impact accident survivors and health care providers.

And while legislative and legal advocacy has always been key to CPAN’s ability to fight attempts to do away with auto no-fault, we know we can’t do it without the support of our members. 2014 marked the first year CPAN offered grassroots training to help accident survivors, family members and health care providers increase the power of their voice and become better advocates for upholding Michigan’s no-fault laws.

This outstanding work – legislative advocacy, legal activity and grassroots training – could not have been done without our members. Membership in CPAN has grown steadily over the past year, as has participation in CPAN fundraisers like Survive and Thrive and the CPAN Annual Gala. Our members are the backbone of this organization, and we will need the help of each and every one of you to continue protecting Michigan’s life-saving no-fault insurance system in 2015 and beyond.



CPAN Press Conference discussing the release of a CRC Report. Eric Hannah, Mike Dabbs, John Cornack and Laura Appel respond to reporters’ questions.



CPAN
Started 2014: 759, end 2014: 894, adds: 149, drops: 14, **Retention rate: 98.2%**
(adds and drops are inclusive of members who both joined and dropped within the timeframe)

By most legislative and political accounts, CPAN and its member stakeholders and constituencies were successful in 2014. Despite disappointments in the November General Election, in which some of our enlightened candidates and strong supporters did not prevail, we were successful in thwarting most legislative bills aimed at placing further restrictions on patients and providers.

Legislative efforts by House Speaker Jase Bolger to advance major reforms backed by the insurance industry did not get any further traction in the House. Despite the constant pressure by House leadership, the numerous attempts by both the Speaker and House Insurance Committee Chair Peter Lund to advance the bills to the Senate failed – so badly that a vote was never taken on the House floor.

The legislative lame-duck session brought on anticipated challenges and threats with the House Insurance Committee reporting out of committee on a partisan basis – HB 5854 (introduced by Rep. Pete Lund), which would make sweeping and destructive changes to the operations of the Michigan Auto No-Fault Assigned Claims Plan. And while the bill was trumped by its bill sponsor and certain insurers as only a codification of current practices, it did indeed raise serious concerns for CPAN. The Michigan Auto Insurance Placement Facility, which administers the Assigned Claims Plan, made a strong push during the last several days of session, but fell well short of garnering the needed bipartisan support to move it to the Senate for quick consideration.

Uber and other transportation networking companies tried in lame-duck to move a bill that would protect them from certain liability coverage. CPAN worked with the Insurance Institute of Michigan (IIM), as well as other special interest groups, to make sure that Uber had to provide the same level of insurance coverage as did other taxi and limo companies. Despite a very spirited push by Uber, HB 5951 (Rep. Tim Kelly) died on the House floor. We fully expect the Uber bill to be re-introduced in 2015. If similar or parity insurance coverage is included in the bill, then CPAN's concerns will have been addressed.

Former Senate Majority Floor Leader, and now current Majority Leader, Arlan Meekhof introduced SB 1148 which addressed three major issues – fraud, attendant care and the creation of a new catastrophic fund to allow insurance companies off the hook beyond the first \$500,000 of PIP coverage. Threats that the bill might move during lame-duck never came to fruition, other than to signal to CPAN and others that the new Majority Leader was going to fully engage in the auto no-fault issue in 2015.

Finally, CPAN did work through most of its concerns in SB 1140 (Senator Virgil Smith), which would disqualify a passenger from PIP coverage if that person had knowledge that the auto was unlawfully taken. The bill also made it clear that an exempted driver on a policy was not entitled to PIP benefits, if that person was driving. CPAN was able to work with Sen. Smith and IIM to adopt language that would protect minors, or the mentally incompetent, that do not have reasonable knowledge to determine whether the auto is unlawfully taken.

Looking forward, CPAN expects a robust debate on auto no-fault in the legislature and will continue to work with policy makers, the Administration and the insurance industry to find reasonable, fair and balanced reforms to improve and preserve Michigan's auto no-fault system.



Kevin A. McKinney
CPAN Legislative Consultant

2014

Legislative Activities





“Let Our Voices Be Heard” Advocacy Workshops

LET our voices BE Heard

As one of the most respected voices in the auto no-fault arena for over a decade, CPAN continues to do all it can to protect the Michigan no-fault system. Together, its members work to keep Michigan citizens informed about the latest efforts to limit their rights and protections under the law, lobby on behalf of those who rely on the benefits of the no-fault system for their continuing quality of life, and argue before the courts against entities that would otherwise unjustly dismantle the no-fault system, in its entirety.

When asked in the post-workshop survey, “What was the best thing about today’s training?,” here’s what participants said:

- *“Hearing others’ stories, meeting people and learning proper ways to communicate.”*
- *“Realizing that I can still make a difference.”*
- *“Effective, relatable, retainable information overall.”*
- *“All was very informative and powerful!”*
- *“What a wealth of information!”*
- *“This is the best presentation I’ve ever attended for an advocacy group.”*
- *“INSPIRATION!”*

As the voice of the people, CPAN not only informs and protects Michigan citizens, but also seeks to empower those who wish to actively participate in the advocacy effort. With this in mind, in the spring of 2014 CPAN began hosting advocacy workshops across the state called “Let Our Voices Be Heard”. These advocacy workshops provide attendees with the tools and support needed to share their stories of progress and triumph as a direct result of the provisions of Michigan’s no-fault system to legislators and media in a succinct and compelling fashion.

The workshops have been held in various locations throughout Michigan to date, including Traverse City, Grand Rapids, Okemos, Ann Arbor, Farmington Hills and Troy. Participants have included vehicle (e.g., automobile, motorcycle, semi-truck) accident survivors, family members, case managers and care providers, all of whom have been either directly or indirectly impacted by the no-fault law.

These individuals know better than anyone the peace of mind that comes with realizing that protection under no-fault means coverage (without declaring bankruptcy) for medical treatment, therapy sessions, long-term home care, home modifications and other essential services for maintaining an optimum quality of life. At the same time, these individuals are all too familiar with the ongoing battle to protect and preserve these services against an insurance industry using everything in their collective power to absolve themselves of their legal and ethical coverage/reimbursement obligations. Yet, it is precisely these contrasting experiences that, when synthesized and appropriately constructed, provide the most compelling testimonials to a legislator or a member of the media because they underscore both the potential triumphs enabled by no-fault, as well as the devastating consequences of its elimination.

At these workshops, participants learn how to tell their stories effectively, letting their voices be heard by legislators, media outlets, and anyone else who is open to truly understanding the impact and importance of preserving Michigan’s auto no-fault system. Among the topics discussed at these sessions are: an introduction to Michigan auto no-fault law; the legislative process; knowing when and why to act; and learning how to tell one’s story concisely and persuasively. In addition to learning about these various facets of grassroots advocacy and no-fault law, participants are given the opportunity to put their skills to early use by crafting their own stories to share (with guidance from workshop presenters), participating in role-playing exercises and gaining valuable feedback from presenters and peers on how effectively they have shared



Let Our Voices Be Heard

their story. Workshop participants also learn how to tell their stories through the media, including writing letters to the editor or opinion editors, and through social media outlets such as Facebook and Twitter.

We would like to thank Health Partners, the Michigan Brain Injury Provider Council and the Brain Injury Association of Michigan, whose generous sponsorship support has made this all possible.

In addition, we want to recognize the following individuals who have generously donated their time, energy, and expertise to teaching participants how to effectively present their stories and make a difference, especially at such a critical time where attacks on our no-fault system seem unending: Jean Doss, Legislative Consultant, Doss Consulting; Erica Coulston, auto accident survivor, auto no-fault advocate, and Co-founder, Walk The Line to SCI Recovery; Tom Constand, Vice President, Brain Injury Association of Michigan; Tom Sinas and Steve Sinas, attorneys, Sinas, Dramis, Brake, Boughton & McIntyre, P.C. (Lansing & Grand Rapids); and Martha Levandowski, Administrative Director, CPAN.

How much of an impact have these workshops had to date? According to attendees, quite a substantial one. (See quotes on left) Because of the positive response to date, we will seek to continue these workshops so that more people can learn how to tell their stories and contribute to our collective effort to preserve no-fault.

Indeed, it's been truly inspiring to see so many individuals who share a passionate interest in the future of the Michigan no-fault system come together to learn how to effectively "let our voices be heard"!



2014 Membership

Over the years, auto accident survivors and family members have expressed the desire to be more involved with CPAN, but some found the financial commitment of our membership levels a challenge.

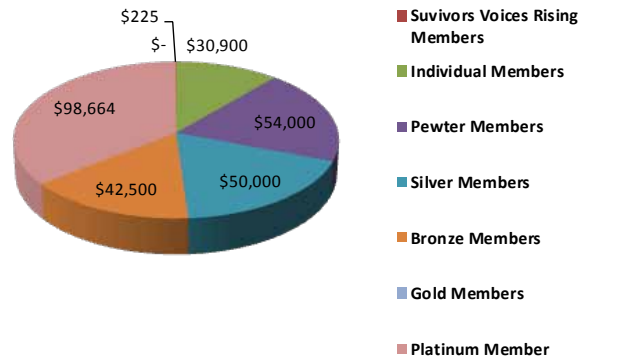
Early in 2014, CPAN's Board of Directors recognized this challenge and approved the creation of a new membership level: Survivors' Voices Rising. This membership level is available to auto accident survivors, their family members, and/or caregivers who wish to become CPAN members and support CPAN's efforts to effectively work together in the courts and legislature to uphold auto accident survivors' rights under the Michigan no-fault system to quality medical care and rehabilitation.

The Survivors' Voices Rising memberships are offered at a reduced rate: \$25 per year. However, potential Survivors' Voices Rising members have the opportunity to earn credit toward their annual CPAN membership through advocacy activities including: participating in the Let Our Voices Be Heard Advocacy Training Workshop, meeting with a legislator and submitting a Legislative Reporting Form, attending a town hall meeting discussing auto no-fault, submitting a letter-to-the-editor, attending Capitol Day, and/or recruiting additional members. After one year, Survivors' Voices Rising members may renew for \$25 or again earn their membership renewal by completing other advocacy activities over the course of the year.

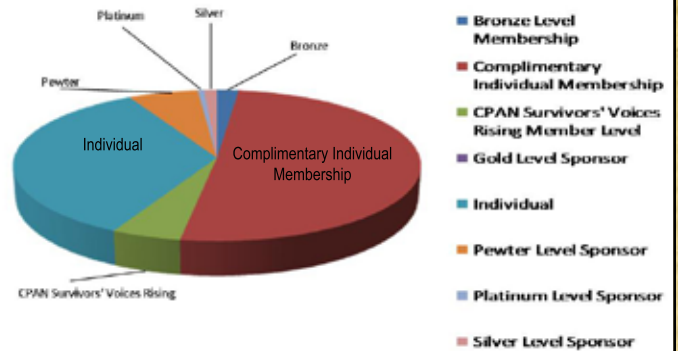
Survivors' Voices Rising membership information was shared during the five Let Our Voices Be Heard advocacy training workshops conducted throughout 2014. As a result, 45 new members have joined.

In addition to attending the workshops, several of these members have submitted their personal no-fault story and sent emails or met with their legislators. The goal for 2015 and beyond is to continue to grow the Survivors' Voices Rising memberships and engage these members to be effective advocates for Michigan's auto no-fault system.

Dues Revenue Breakdown



Percentage of CPAN Membership by Level



A CPAN supporter proudly wears his "Join CPAN Save Auto No-Fault" yellow wristband

In Memory

January 1, 2014 – December 31, 2014

CPAN received memorial donations in the names of:

Edna M. McPherson

Judith Tadian, Jack McPherson

Frank Pereira

JoAnne Bokulich

Ronnie Tischler

Anonymous



For years, auto accident survivors, their families, medical providers and hospital discharge planners have been asking for an easy to understand explanation of the Michigan Auto No-Fault Law. CPAN is proud to announce it is finally available! Late in 2014, thanks to the efforts of George and Thomas Sinas with special thanks to graphic designer Carol Stewart, the long awaited **A Quick Guide to the Michigan Auto No-Fault Law**© was released with versions in English, Spanish and Arabic. Copies can be ordered through the CPAN office.

Save The Date



GOLF CLUB
AT HAWK HOLLOW

**CPAN 3RD ANNUAL
GOLF OUTING**

Friday, June 19, 2015
Eagle Eye Golf Course
Tee time 10:00 am



A benefit supporting CPAN Hosted by Studio West Gallery

**SURVIVE AND THRIVE
ART SALE**

hosted by *Work Skills*

Wednesday, July 8, 2015
4:30 – 8:00 pm



**NIGHT AT THE MUSEUM
WITH CPAN**

Saturday, October 24, 2015
6:00pm – 10:00pm

Thank You

2014 CPAN Major Event Sponsors

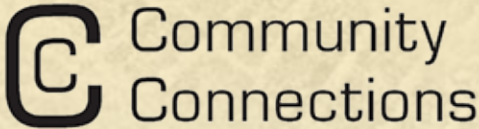
Golf Outing



Let Our Voices Be Heard
Workshop Sponsors



Survive & Thrive Art Sale



CPAN Auto No-Fault Gala





2014 By-the-Numbers:

219 News stories mentioning Michigan auto no-fault insurance last year

132 New CPAN Facebook page likes year-over-year.

9,504 Number of views CPAN's single most popular Facebook post of the year received. (a member alert about the insurance industry-backed "Stop Overcharging" petition drive)

5150 Total number of people that "Like" the CPAN Facebook page

6 Number of advocacy trainings CPAN held throughout the state in 2014

\$58,373 Dollars raised through CPAN's key fundraisers: the golf outing, annual gala and Survive & Thrive

17.8 Percent increase in CPAN membership 2013 to 2014

24 Members of the Michigan Legislature attended the 2014 CPAN Gala

13 Number seminars or events CPAN exhibited at various throughout the year



George T. Sinas
CPAN General Counsel

2014 *Judicial Action*



Legal Action and Advocacy 2014

It has been clear for many years that the insurance industry is aggressively using the court system to obtain the draconian auto insurance reforms that they have failed to achieve in the legislature. 2014 demonstrated this fact once again, with insurance companies using recent court decisions as a basis for taking an increasingly adversarial approach to working with patients and providers.

In response to this tactic, CPAN continues to help patients and providers develop effective strategies in the processing of personal injury protection claims. For example, CPAN held its third Admire Workshop where participants received an analysis of how the Michigan Supreme Court's *Admire v. Auto-Owners* ruling impacts the state no-fault system and learned from experts about how to improve practices for filing claims.

CPAN also continued to file Amicus Curiae briefs in key legal cases that could impact health care providers and accident survivors. We are pleased to report that on December 19, 2014, the Michigan Supreme Court issued a favorable ruling in the case of *Hunter v. Sisco*. CPAN's brief, which was filed in conjunction with the Brain Injury Association of Michigan and the Michigan Brain Injury Provider Council, addressed whether the phrase "bodily injury," as used in the Michigan Governmental Tort Liability Act (GTLA), excludes emotional and psychological type injuries from compensation under the Act. This issue was a significant concern because the Michigan Auto No-Fault Law utilizes the same phrase, "bodily injury," in describing the types of injuries and conditions for which no-fault PIP benefits are payable. A Supreme Court decision holding that psychological and emotional injuries / damages were not encompassed by the term "bodily injury" could have meant serious consequences for our state's auto no-fault system.

Thankfully, the Court rejected the government's argument in favor of a narrow definition of "bodily injury." The Court's opinion states:

"It is a longstanding principle in this state's jurisprudence that tort damages generally include damages for all the legal and natural consequences of the injury (i.e., the damages that naturally flow from the injury), which may include damages for loss of the ability to work and earn money, as well as pain and suffering and mental and emotional distress damages ... Thus, damages for ... pain, suffering, and emotional distress have long been understood as consequences of an injury for which damages are compensable..."

CPAN also continued in 2014 to push for transparency of the Michigan Catastrophic Claims Association, the entity created by the Michigan legislature but controlled by private insurance companies. The MCCA reimburses auto insurance companies for medical claims that exceed \$530,000. CPAN has argued that Michigan drivers have a right to know how the MCCA determines the annual assessments that are passed on to Michigan drivers – currently \$186 per vehicle – and whether the \$17 billion in assets managed by the MCCA are inadequate or excessive and whether they are properly managed.

The Michigan Court of Appeals disagreed with the Ingham County Circuit Court decision that would have subjected the MCCA to the Freedom of Information Act. CPAN has filed an Application for Leave to Appeal with the Michigan

Supreme Court and we are now waiting to hear whether the court will take up the case in the coming term.

CPAN Finances

Revenue

CPAN Membership/Donations	\$276,289
Interest	\$15
Programs and Other Income	\$142,765
Contributions to Media/Education Fund	\$500
Interest Education/Media Fund	\$174

\$419,743

Expenses

Public Awareness/Advertising	\$67,134
Amicus Briefs	\$10,013
Legal Consultants	\$111,091
Meetings, Programming and Events	\$62,739
Legislative and Training Consultants	\$58,500
Operations/CPA	\$61,941
Professional Management	\$75,730

\$447,148

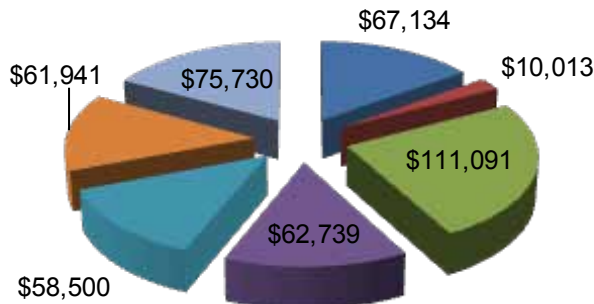
Revenue less Expenses

\$(27,404.94)

2014 Finances



Expenses



- Public Awareness/Advertising
- Amicus Briefs
- Legal Consultants
- Meetings, Programming and Events
- Legislative and Training Consultants
- Operations/CPA

Revenue



- CPAN Membership/Donations
- Interest
- Programs and Other Income
- Contributions to Media/Education Fund
- Interest Education/Media Fund





Officers

President – John Cornack, MBIPC/Eisenhower Center
 1st Vice President – Colin J. Ford, Michigan State Medical Society
 2nd Vice President – Jane R. Bailey, Michigan Association for Justice
 Secretary—Michael Dabbs, Brain Injury Association of Michigan
 Treasurer – Carl Alden, Michigan Association of Chiropractors

Executive Committee

Michigan Brain Injury Provider Council, MBIPC (John Cornack)
 Michigan State Medical Society (Colin J. Ford)
 Michigan Association for Justice (Jane R. Bailey)
 Brain Injury Association of Michigan (Michael Dabbs)
 Michigan Association of Chiropractors (Carl Alden)
 Michigan Health and Hospital Association (Laura Appel)
 Michigan Orthopaedic Society (Bill Kandler)
 MBIPC (Margaret Kroese)
 George T. Sinas—Sinus, Dramis, Brake, Boughton, & McIntyre—
 General Counsel (ex-officio)
 Kevin A. McKinney—McKinney and Associates—
 Legislative Consultant (ex-officio)

Administrative Director

Martha E. Levandowski

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Sinas chosen as Lawyer of the Year

George Sinas has been chosen as Michigan Lawyers Weekly's Lawyer of the Year 2013. The announcement was made at the MLW Leaders in the Law luncheon at the Detroit Marriott Troy on Thursday, honoring the 30 Leaders in the Law.

Sinas was chosen by a vote of his peers—the other 29 Leaders in the Law—who had the opportunity to vote on each of the honorees.

"To be recognized by my peers obviously is one of the greatest honors one can receive. I am humbled," Sinas said. "This really represents the efforts of many, many people that I have had the pleasure of working with through the years, and without them, this wouldn't be possible."

The 30 Leaders were chosen from around the state and all areas of law. They included small and large law firm lawyers, politicians, judges and those in public service.

To be selected, leaders showed a high level of success in the legal profession, a passion for the law and to serve their clients and the community and a record of achievements that displays strength of character and ability to be a leader in the Michigan legal community.

Sinas has been at the forefront of fighting the efforts to minimize lifetime comprehensive medical coverage under Michigan no-fault law.

As general counsel for Coalition Protecting Auto No-Fault, in collaboration with the Brain Injury Association of Michigan, he led a team of lawyers last year in a lawsuit against the Michigan Catastrophic Claims Association to obtain financial information under the Freedom of Information Act.

In January, Ingham County Circuit Court Judge Clinton Canady III ruled that the MCCA must open up records related to its financial standing, and explain how it comes up with its \$175 annual fee per auto.

In February, another win for Sinas; Canady refused to suspend his ruling pending MCCA's appeal.

Sinas was one of those who was instrumental in creating CPAN in 2003. It is a bipartisan collection of 26 major medical and consumer groups dedicated to protecting the legal rights and medical benefits of auto accident victims.

He has helped guide legislative efforts, not only informing legislators but coming up with strategies and ideas that are making an impact on the debate.



George Sinas was named Michigan Lawyers Weekly's 2013 Lawyer of the Year at MLW's Leaders in the Law event



An Award-Winning Organization



George T. Sinas receives the Champion of Justice Award at the 2014 Michigan Association For Justice Annual Dinner.



2012 PACE Award for Research from The Public Relations Society of America—Central Michigan Chapter.



MSAE 2012 Diamond Award – Government Relations Project – Savvy development and implementation of a government relations project.



MSAE 2013 Diamond Award – Social Media Campaign – successful use of social media as part of an overall communications campaign.

MSAE 2013 Diamond Award – Public Relations Campaign – innovation campaigns to increase awareness of an organization/issue among the public, media and other external audiences.



MSAE 2014 Diamond Award - Gold Honorable Mention – Membership Development – for excellence in recruitment and retention of members through the use of creative strategies.

The logo for CPAN (Central Personal Auto Network) features the letters 'CPAN' in a large, black, serif font. To the right of the letters is a black silhouette of a family consisting of two adults and a child. The background of the top half of the image is a textured, yellowish-gold pattern with faint, repeating silhouettes of people holding hands in a circle.

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