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PROPERTY/CASUALTY

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WHY DO I NEED COVERAGE?



RISK
The chance of loss



EXPOSURE
Being subject
to loss



Financial damage, the basis of a claim



HOW TO HANDLE RISK

1 Risk avoidance

Risk management

2

3 Risk transfer or sharing

Risk retention

4

SET SEG

5

RISK TRANSFER AND RETENTION OPTIONS

Commercial Insurance

- Owned by stockholders
 - Annual premium
 - Standard policy form

Risk Retention Group/Pool

- Owned by member districts
- Annual contribution
- Specialized manuscript coverage form
 - Net asset return to members

Self Insured

- Deductibles
- District determines level of Self Insured Retention (SIR)
- Purchases stop loss/excess coverage

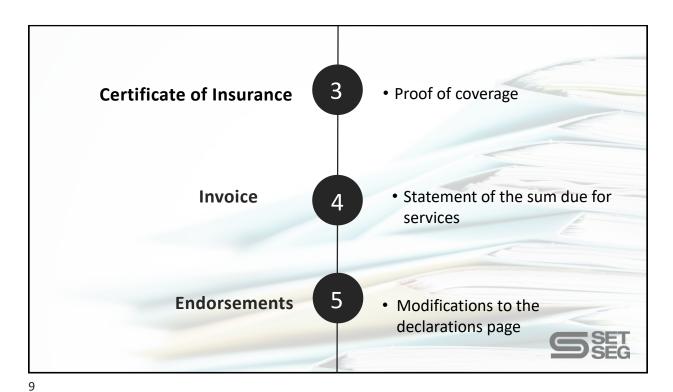


WHAT IS PROPERTY/CASUALTY INSURANCE? 1st Party Coverage 3rd Party Coverage Property Commercial General Liability Boiler/Machinery Errors and Inland Marine Omissions/School **Board Legal Liability** • Crime · Auto Liability • Auto Physical Damage Environmental Liability Excess/Umbrella

Coverage Form/ Insurance Policy

• Legal contract that details what is covered and what is not covered
• Requirements by both parties

• Outlines specific limits for different coverages within the policy
• Statement of Values and Vehicle Schedule



PROPERTY COVERAGE

- Specified locations
- Replacement Cost vs Actual Cash Value
- Sub-limits displayed on Declarations Page
 - o Valuable papers: \$150,000
 - Business income/extra expense: \$1,000,000
- Statement of Values
 - Buildings
 - Contents
 - Property in the open (PIO)
 - Total Insured Value



BOILER & MACHINERY

- 1st Party Property Coverage
- Exclusions in property form for pressure vessel exposures
 - Boilers, air conditioning units, refrigeration
- Sub-limits similar to Property Declarations
 - Spoilage
 - Ammonia contamination



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INLAND MARINE

- "Floaters"
- Property that is moving or moveable
 - Athletic equipment
 - Grounds equipment
 - Musical instruments
- Deductible options
- Broader coverage
- Higher premium



CRIME

Covers money and securities from causes of loss:

- Employee dishonesty
- Named position bond
- Forgery
- · Money and securities
 - Inside (break-in, theft)
 - Outside (taking money to the bank)



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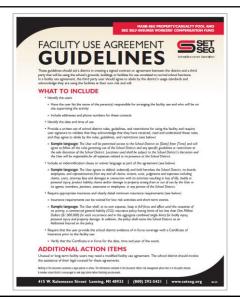
COMMERCIAL GENERAL LIABILITY

- Liability to a 3rd party
 - Bodily injury and property damage
- Injury as a result of:
 - Premises
 - Business operations
 - Products
- Common coverage:
 - Sexual misconduct
 - Personal and advertising injury
 - o Employee benefits liability
 - Medical payments
 - Students and visitors
- Must prove deliberate indifference





FACILITY USE GUIDELINES





ERRORS & OMISSIONS/ SCHOOL BOARD LEGAL LIABILITY

- Wrongful acts
- Monetary coverages:
 - Employment related practices: harassment, discrimination, FMLA violation
- Non-monetary coverages:
 - Individual education plan due process hearing
 - Failure to educate
 - Equal Employment Opportunity commission
- Defense costs



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AUTO COVERAGE

- Auto Property Damage (APD)
- Deductible options
- Auto Liability (AL)
 - Bodily injury
 - o Property damage
- Michigan No-Fault-CHANGES
 - \circ Personal Injury Protection (PIP)
- Hire/non-owned autos
- Uninsured/underinsured motorists
- Garage operations



AUTO COVERAGE

Michigan No-Fault Insurance Order of Priority changes:

For pedestrians, it is now: If no household insurance, "a person who suffers accidental bodily injury while not an occupant of a motor vehicle shall claim personal protection insurance benefits under the assigned claims plan." MCL 500.3115.

For uninsured occupants in most vehicles: First household insurance, and then assigned claims plan. MCL 500.3114(4)

For passengers on a public school bus: First priority remains household. Second priority is the carrier for bus owner. MCL 500.3114(2)

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EXCESS OR UMBRELLA

- Increases limits for primary liability coverage
- Minimum Limit Recommendation \$5MM
- Claims example:

Bus driver fails to stop at a stop sign and strikes and severely injures a pedestrian. Injured party is awarded \$3.5 million.

- Current limits:
 - Auto liability: \$1 million
 - Excess liability: \$3 million
 - o Total: \$4 million







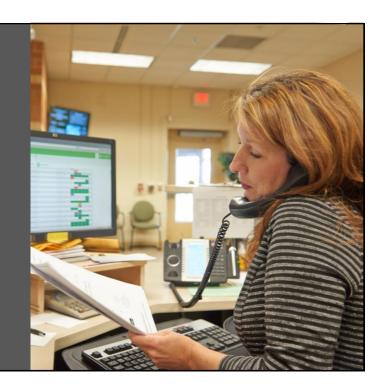
DATA BREACHES & COMPUTER ATTACKS

Data Breach

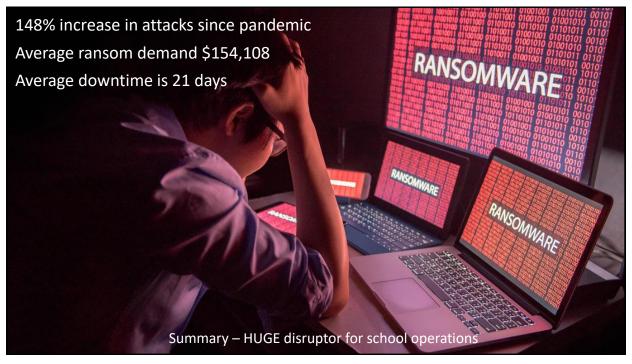
- Personal information
- Breach or unauthorized disclosure
- Responding to legal notification requirements

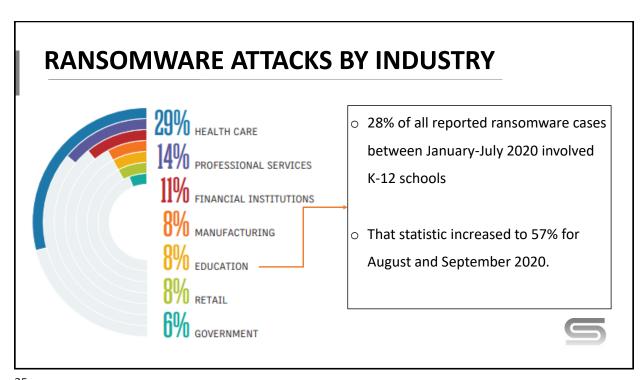
Computer Attack

- · Operational data and systems
- Responding to events that make data and system unusable
- Defense and liability for security failure (including third-party)



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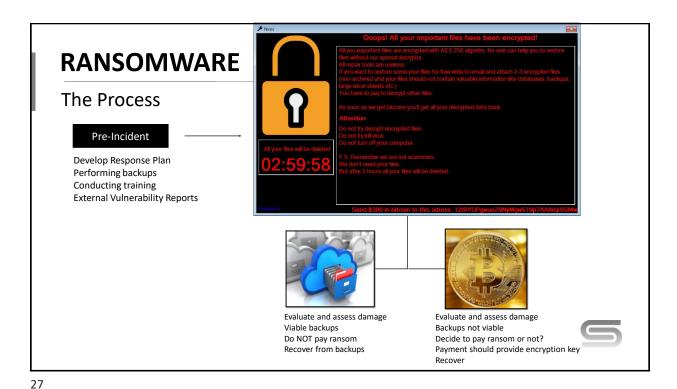




QUESTION...

How many of you have received a phishing or suspicious email over the past three months?





WHAT IF....

- o Save your insurer's contact info in your phone
- o Be cautious when contacting provider (emails may be compromised)
- o Provide your contact information (phone, alternative email)
- Do NOT initiate conversation with threat actors
- Preparation IF district does have to pay ransom, district must front payment and get reimbursed. Dollars will be converted to Bitcoin.
- o Isolate the security threat



PROTECTING YOUR DISTRICT

- Multi-Factor Authentication (MFA) remote access, laptops, privileged access
- Data backups (daily)
- Offline backups/testing of backups
- Employee training



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FUTURE REQUIREMENTS

From the Insurance Industry

Phishing Training

Multi Factor Authentication (MFA) – remote access / critical information

Backups offline / inaccessible to outsiders / encrypted / regularly scheduled

Limiting administrative access

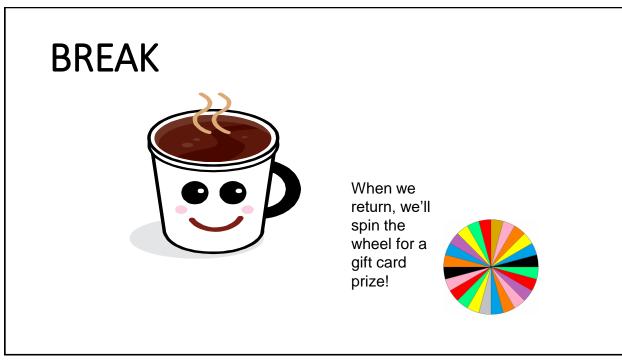
System security patches updated

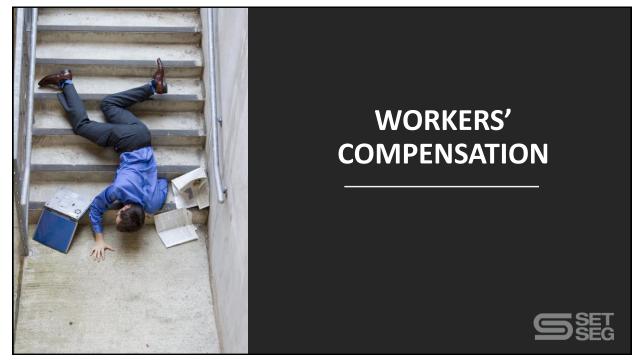
Close open ports

Vulnerability scans are coming...

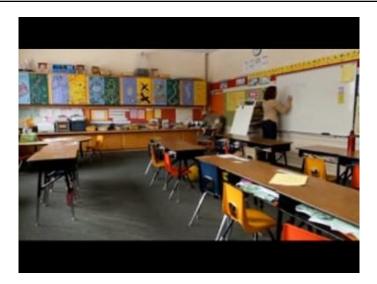








LOSS CONTROL VIDEOS





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WHAT IS WORKERS' COMPENSATION?

A Brief History

Problem

Prior to 1912, workers injured on the job could sue employer in a tort action

· Difficult for workers to recover

Solution

A no-fault system that requires employer to compensate employee injured on the job regardless of the existence of any fault

· Limited amount worker can recover



WHAT IS WORKERS' COMPENSATION?

Required insurance coverage which pays benefits to injured employees in the event of injury, disability or death resulting from occupational hazards

- Michigan Workers' Compensation Agency
 - Responsible for overseeing Michigan's workers' compensation
- Provides coverage for:
 - Wage loss
 - Medical expenses
 - Vocational rehabilitation
 - Death benefits



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WORKERS' COMPENSATION OVERVIEW

When are workers covered?

Workers' compensation is designed to cover only injuries which:

"arise out of and in the course of employment."

"In the course of"

the connection of the event with the employment

"Arising out of"

the causal relationship between the event and disability



EXAMPLES

Custodian slips and falls on wet floor while mopping. **Covered?**

YES or NO

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EXAMPLES

Finance Director falls in parking lot of a convenience store on the way back from the MSBO conference.

Covered?

YES or NO

EXAMPLES

A school nurse is traveling from one of her schools to another and is in a car accident.

Covered?

YES or NO

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EXAMPLES

A teacher walks down the school hall to the restroom and trips over his own feet- an idiopathic fall.

Covered?

YES or NO

WHAT BENEFITS ARE COVERED?

1 Wage Loss

Medical benefits

2

Rehabilitation benefits

Death benefit

4



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WAGE LOSS BENEFITS

- Average Weekly Wage (AWW)
 - o Highest 39 of 52 weeks
- Payment Timeline
 - Days 1-7 waiting period
 - o Day 8 benefits begin
 - Day 14 (consecutive) waiting period waived
- Fringe Benefits
 - If discontinued cash value added to AWW
 - Health care insurance
 - Employer contributions to a pension (MPSERS)
 - Vacation/Holiday pay



MEDICAL BENEFITS

- Reasonable and necessary medical care
- Treating physician
 - o Day 1-28, employer directs care
 - After 28 days, employee elects physician of their choice
- Responsibility continues indefinitely as long as need for care is related to workers injury



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VOCATIONAL REHABILITATION BENEFITS

- Difficult in challenging economy
- Allows payment for retraining or job placement
- Used on specific cases which would allow a return to work
- Workers' Compensation wages cease if employee returns to a job at equal or greater pay



PRICING OF WORKERS' COMPENSATION

- Rates filed with Agency and approved by State Regulators
- Employers report estimated payroll to coverage provider
- · Rates based upon employee classifications
 - o 8810 Clerical
 - o 8868 Professional
 - o 8829 Parapro
 - o 7380 Drivers
 - o 9101 All Other
- Experience Modification
- Payroll Audit conducted after policy term



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SAMPLE INVOICE

Estimated Premium Statement for Fund Year _____ to _____

| CODE | CLASSIFICATION | ESTIMATED PAYROLL | RATE | ESTIMATED PREMIUM |
|------|------------------------------|-------------------|------|-------------------|
| 7380 | Drivers, Garage Employees | \$404,672 | 3.46 | \$14,001 |
| 8810 | Clerical | \$1,945,533 | .42 | \$8,171 |
| 8868 | Professional, Teachers | \$12,986,103 | .20 | \$25,972 |
| 9101 | All Other Employees | \$1,163,692 | 3.50 | \$40,729 |
| | SUBTOTALS | \$16,500,000 | | \$88,873 |

Experience Modification Factor 0.99 Modified Premium \$87,984
Less: Dividend \$35,378
Equals Total Net Premium \$52,606
Quarterly Premium Payments Due \$13,151

IMPACT OF MOD FACTOR

Assume Schools A & B have the same payrolls:

| CODE | CLASSIFICATION | ESTIMATED PAYROLL | RATE | ESTIMATED PREMIUM |
|------|------------------------------|-------------------|------|-------------------|
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| 9101 | All Other Employees | \$1,163,692 | 3.50 | \$40,729 |
| | SUBTOTALS | \$16,500,000 | | \$88,873 |

Experience Modification Factor (School A) 1.10 (School B) .87

Final Premium (School A) 1.10 X \$88,873 = \$97,760 Final Premium (School B) 0.87 X \$63,491 = \$76,449

Difference in premium \$21,311



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INDIRECT COSTS FOR A SCHOOL TO CONSIDER

- Loss of injured workers' productivity
- Cost to hire and train new employees (temporary or permanent)
- Wages of replacement employees to cover for injured worker
- Overtime costs
- Time investment of supervisors/managers to investigate the accident, complete necessary paperwork, and provide ongoing follow-up



WORKERS' COMPENSATION

Success Factors

- · Promptly report claims
 - Delays cause chain reaction
 - Injuries become worse, details become less clear
 - Claims unreported for more than four weeks cost 45 percent more
- · Designate health clinic for cost savings
- · Establish return to work program



Effective communication is critical!



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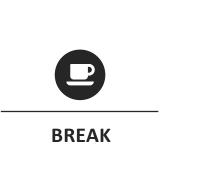
WORKERS' COMPENSATION

Success Factors

- Employer has 28 days to control medical treatment
- Know the name of your clinic
- Know which injures are compensable
- Define disability and partial disability
- · Obtain employee's burden of proof
- Understand the importance of a return to work program







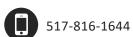


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EMPLOYEE BENEFIT SERVICES

Casey Kilcherman
Sales and Development Specialist









DISCLAIMER

The content in this presentation is based on proposed IRS guidelines. Information related to health care reform is rapidly changing. Participants should consult their legal counsel or benefits professional regarding situations specific to their organization.



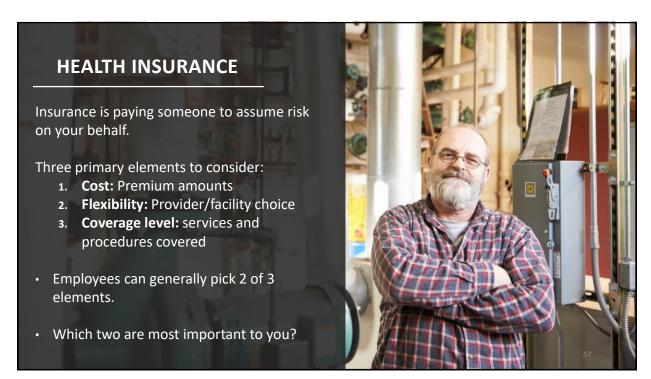
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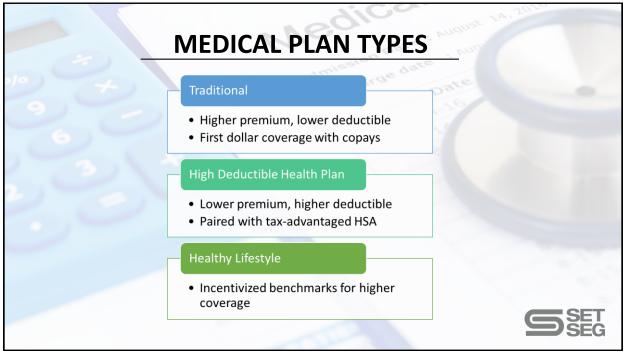
EMPLOYEE BENEFITS

- Health Insurance 101
- Review PA 106/152
- ACA Update
- Benefit Landscape and COVID-19









HIGH-DEDUCTIBLE HEALTH PLAN BASICS (HDHPs)

- Deductible of at least \$1,400 for a single person and \$2,800 for two-person or family coverage
- Employee pays 100% (except preventive care) of medical and prescription drug costs (less any carrier discounts) until deductible is met
- Copays do not apply until deductible is met
- Generally lower coverage level and lower cost
- Compatible with FSA or HSA



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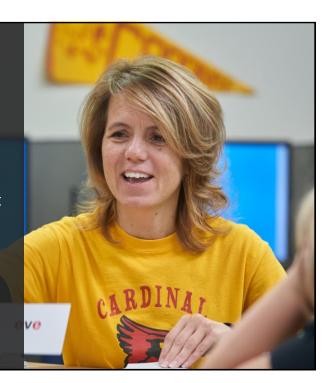
HEALTH SAVINGS ACCOUNT BASICS

- The account and its contents belong to you
- Money goes in tax free, can grow tax free and come out tax free (if spent on approved medical expenses)
- Rolls over year after year (no "use it or lose it")
- Fully portable if you leave the high-deductible plan or the district
- Accessible in retirement



HSA LIMITATIONS

- Only available with tax-qualified HDHP
- May not contribute to an HSA if enrolled in other coverage that is not a tax-qualified HDHP (including Medicare or a medical FSA)
- May not contribute to an HSA if claimed as a dependent on someone else's tax return



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HSA LIMITATIONS

- Annual contribution limits for 2022:
 - \$3,650 for single person
 - \$7,300 for two person/family
- \$1,000 catch up allowed annually for account holders 55+
- Operates as a debit account (not front loaded)



HSA PENALTIES

- Improper use of funds before retirement (Medicare-eligible age): Pay taxes on dollars used, plus 20% penalty
- Contribution beyond IRS maximums: Pay taxes on excess contributions, plus 10% penalty
- Use of funds for non-qualified expenses after reaching Medicareeligible age: Pay taxes on funds used without additional penalty



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IRS PUBLICATION 969: HSA DOLLARS

Can't treat insurance premiums as qualified medical expenses unless the premiums are for:

3

- 1 Long-term care insurance
- Health care coverage while receiving unemployment compensation under federal or state law
- 2 Health care continuation coverage (such as coverage under COBRA)
- Medicare and other health care coverage if you are 65 or older (other than premiums for a Medicare supplemental policy, such as Medigap)

SET



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PA 106

School districts must solicit bids for their health insurance programs at least once every three years from at least four carriers, one of which must be a Voluntary Employee Beneficiary Association (VEBA).

- Includes medical, dental, and vision
- "All employees" quote



PA 152- HARD CAP or 80/20

Limits the amount public employers can pay toward employees' health insurance

2022 Hard Caps—3.7% increase

• Single Coverage: \$7,304.51

• Two-Person Coverage: \$15,276.01

• Family Coverage: \$19,921.45

80/20

Option dependent on board decision



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EMPLOYEE ENGAGEMENT



EMPLOYEE TASK FORCE/INSURANCE COMMITTEE

-Include all positions and pay levels



EFFECTIVELY
COMMUNICATE WITH
UNION LEADERSHIP

-Transparency



PROMOTE
COST-CONSCIOUS DECISION
MAKING

-Generic vs brand name

-Talk to doctor about treatment options and costs

-Use online tools



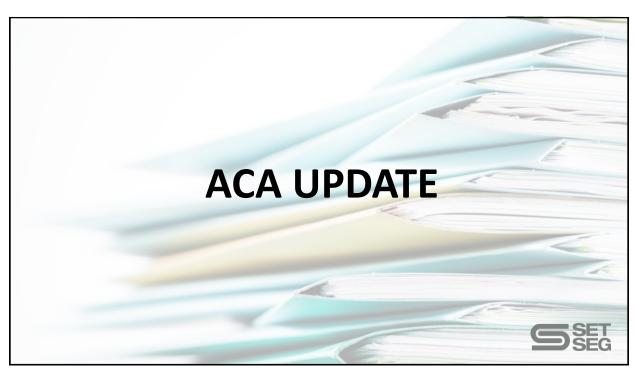
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COBRA

Chart shows the max period for which coverage must be offered for a specific qualifying event.

| Qualifying Event | Qualified Beneficiaries | Maximum Period of Continuation of Coverage |
|---|---------------------------------------|--|
| Termination (for reasons other than gross misconduct) or reduction in hours of employment | Employee Spouse Dependent Child | 18 months |
| Employee enrollment in Medicare | Spouse Dependent Child | 36 months |
| Divorce or legal separation | Spouse Dependent Child | 36 months |
| Death of employee | Spouse Dependent Child | 36 months |
| Loss of "dependent child" status under the plan | Dependent Child | 36 months |

SET SET



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ACA

A quick refresher...

- Signed into law in 2010
- Passed in an effort to reduce the number of uninsured Americans
- Requires employers to offer coverage to their employees
 - Must be "affordable"
 - Must provide "minimum value"



ACA

Employer Requirements:

- 1. Offer requirement
- 2. Affordability and minimum value requirements
- 3. Reporting requirement



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ACA

Offer Requirement

If an employer has 50 or more full-time equivalent (FTE) employees, they are required to offer affordable coverage to at least 95% of their full-time employees.

What does the ACA consider full-time?

An employee working at least 30 hours each week.



ACA

Affordability and Minimum Value Requirement

- 1. Minimum essential coverage must be offered
- 2. It must be "affordable" meaning that it can't cost the employee more than 9.61% of their household income
- 3. It must meet or exceed "minimum value" meaning that it must pay for at least 60% of an average person's average annual medical expenses



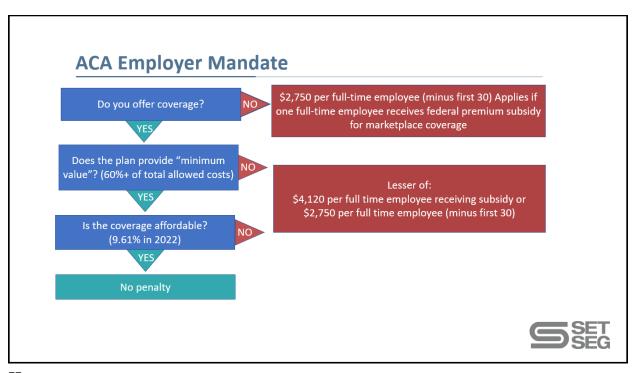
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ACA

Employer Shared Responsibility Penalty

| Tax Filing Year | 2021 | 2022 |
|---|---------------------|--------------------------|
| 4980H(a) penalty | | |
| Annual Amount (per employee) | \$2,700 | \$2,750 |
| Monthly Amount (per employee) | \$225.00 | \$229.17 |
| Required Med offer % of full-time | 95% | 95% |
| Full-time Exemption | 30 | 30 |
| 4980H(b) penalty | | |
| Annual Amount (per employee) | \$4,060 | \$4,120 |
| Monthly Amount (per employee) | \$338.33 | \$343.33 |
| Affordability Safe Harbor % | 9.83% | 9.61% |
| Applicable 100% FPL (prior year) | \$12,760 | \$12,880 |
| FPL Affordability Annual Amount | \$1,254.36 | \$1,237.68 |
| FPL Affordability Monthly Amount | \$104.53 | \$103.14 |
| Employer assessments would only be imposed if at least on subsidy | e employee seeks ar | nd receives a Marketplac |





Examples of Employer Penalties The employer does not offer coverage to 95% of full-time employees The penalty is \$2,750 per full-time employee, excluding the first 30 employees. **Employer Penalty** Trigger 500 full-time employees \$2,750 per full-time employee One employee purchases (minus first 30) coverage on the marketplace and is eligible 500-30=470 employees 470 x \$2,750 = \$1,292,500 penalty for a federal premium subsidy

Examples of Employer Penalties

The employer offers coverage that does not meet the minimum value and/or affordability requirements.

The penalty is the lesser of the two results, as shown in the example below.

| Employer | Trigger | Penalty |
|---------------------------|--|---|
| 100 full-time employees | Penalty is triggered if one employee purchases coverage on | Lesser of \$2,750 per full-time employed (minus first 30) |
| Employer offers coverage, | the marketplace and receives a | OR |
| but coverage is not | federal premium subsidy | \$4,120 per full time employee receiving |
| affordable and/or doesn't | , | a federal premium subsidy |
| provide minimum value | 25 employees purchase coverage | |
| | on the marketplace and are eligible | 70 x \$2,750 = \$192,500 penalty |
| | for a subsidy | 25 x \$4,120 = \$103,000 penalty |
| | 10. 4 5425.4, | (lesser penalty applies) |
| | | (, д, арр, |
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ACA

Employer Shared Responsibility Penalty

- Most employers will work to ensure they avoid the \$2,750 on every employee - 4980H(a) Employer Mandate
- Some employers may be comfortable with the \$4,120 assessment potentially applying to the marketplace-subsidized employees – 4980H(b) Employer Mandate
 - Can be more cost effective than offering coverage
 - Can be more favorable to employees as they remain eligible for federal subsidies



ACA

Reporting Requirements – IRS Form Filing Dates

Calendar Year 2021 forms will be filed in year 2022 Generally, you must:

- Mail 1095-C forms to your employees by 1/31
- Paper file 1094-C and 1095-C forms with the IRS by 2/28
- Electronical file 1094-C and 1095-C forms with the IRS by 3/31



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PA 579

PA 579

An amendment to PA 106 that improves access to and standardizes claims data that can be accessed by MI public schools.

- Medical, dental, and vision plans
- Effective 3/29/19
- Improves districts' ability to shop for competitive coverage
- Allows carriers/TPAs to provide more accurate quotes
- Allows districts to do a simple Medical Loss Ratio (MLR) analysis



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PA 579

Medical Loss Ratio (MLR)

What is the district paying in premium vs. what the carrier is paying in claims?



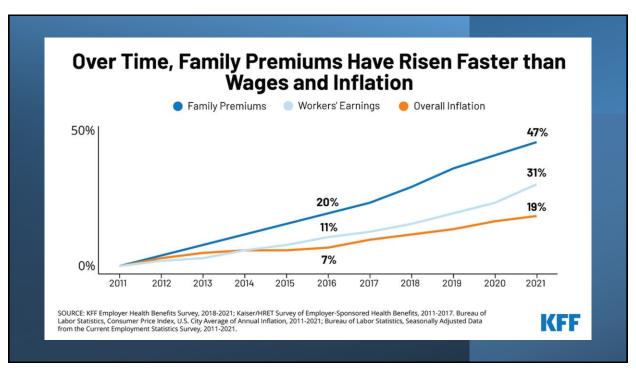
THE CURRENT LANDSCAPE

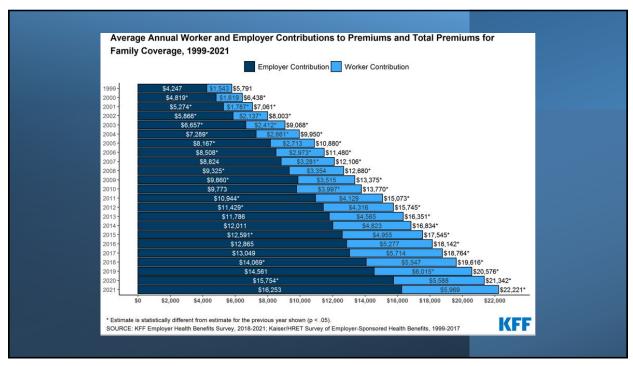
Still seeing increases in all aspects of healthcare costs at rates higher than:

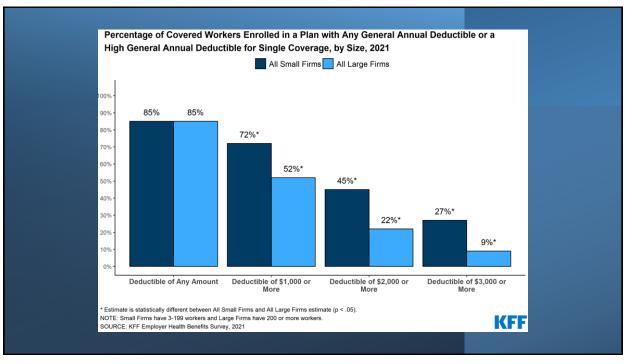
- Inflation
- Wage Increases



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THE CURRENT LANDSCAPE

Zolgensma - The \$2M Medicine

- The FDA recently approved a medicine that is priced at \$2.125 million per treatment
- Treats a rare disorder that destroys muscle control in infants
- The manufacturer will let insurers make payments over five years, at \$425,000 per year, and will give partial rebates if the treatment doesn't work



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THE CURRENT LANDSCAPE

Humira - The "Miracle Drug"

- \$5,000 per month
- Prescribed to treat everything from plaque psoriasis to rheumatoid arthritis
- Fighting to keep stranglehold on the market and blocking generic competition.

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TRENDS

Self-Funding Health Benefits

- Requires employers pay directly for medical and Rx claims rather than through an insurance company
- The major advantage of self-funding is to provide this level of control to the district.
- Self-funding is not gambling
 - Insurance companies eventually get their money
 - District purchases insurance to protect against catastrophic situations
 - District hires professionals to pay claims— no change to business office operations

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TRENDS

Enhanced Primary Care

- Same day or next day appointments
- No waiting
- 20+ minutes with the doctor
- Fewer referrals
- More coordinated care
- Improved health outcomes
- Lab, pharmacy, and X-ray on site



TRENDS

SET SEG Family Healthcare Center

Serves:

- 6 School Districts
 - Plans for 2 more in upcoming year
- 5 Michigan School Associations
- 1,881 Employees
- 4,220 with Dependents





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TRENDS

SET SEG Family Healthcare Center

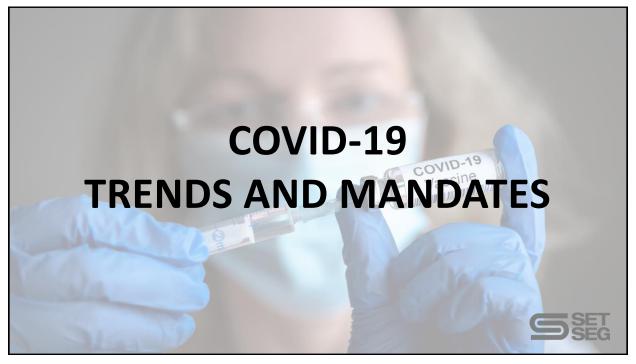
Average cost of a Primary Care visit = \$135 Average cost of an Urgent Care visit = \$178

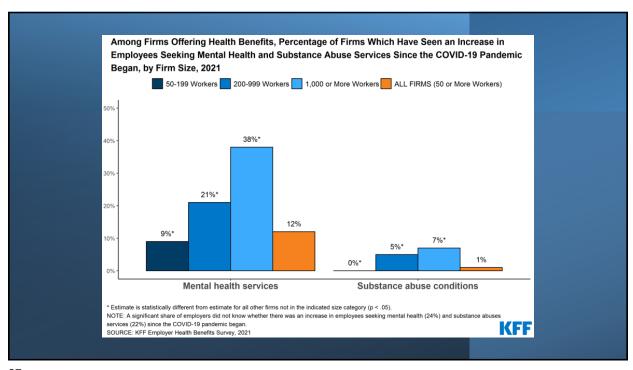
Cost of a SET SEG Family Healthcare Center visit for an acute care reason = \$40*

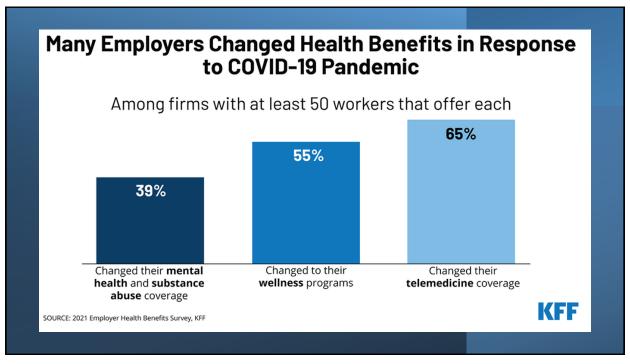
*IRS mandate for HDHP













COVID-19 MANDATE

- Beginning January 15, 2022, individuals covered by a group health plan who purchase an over-the-counter COVID-19 diagnostic test authorized, cleared, or approved by the FDA will be able to have those test costs covered by their plan or insurance.
- Insurance companies and health plans are required to cover 8 free over-thecounter at-home tests per covered individual per month. That means a family of four, all on the same plan, would be able to get up to 32 of these tests covered by their health plan per month.
- Most insurance carriers are currently using the reimbursement method



CONTACT US

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Finalize Credit for Attendance

Return form to MSBO by January 31, 2022

- ✓ Return form to MSBO by January 31, 2022
 - •E-mail cbyam@msbo.org
- ✓ Receive e-mail from MOECSnoreply@michigan.gov to fill out an evaluation for SCECHs.
- ✓ Receive an email from survey monkey for the MSBO evaluation.