



HOW TO HANDLE YOUR PERSONAL INJURY CLAIM

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PROTECTING YOURSELF AND PREPARING YOUR CASE

Protect Yourself and Your Case

- Do not discuss your case with anyone other than our law office or your doctor. If anyone asks you questions or requests written information about your accident, tell them to call us.
- Do not sign anything without consulting us first.
- Do not release medical files. Tell your doctor not to provide any information about your medical condition without your written permission.

Save Evidence That Will Help Your Case

Take Photographs. Please take color photos of your injuries and of the damage to your car or property as quickly as possible. Give the photos and negatives to us immediately. If you do not have access to a camera, we will make arrangement to take the photographs ourselves.

Start a Personal Appointment Book. Write down the dates and times you will need to meet with your doctor, car repair shop, and other people as a result of the accident. *If you don't have an appointment book, you can use the appointment log in the back of this brochure.*

Keep Us Informed of Your Medical Treatment. Please keep us informed of all hospitals, doctors, clinics, etc. where you are treated for your injuries. If your doctor refers you to another doctor or specialist, please notify us immediately. Finally, be sure to tell us when your doctors have completed their treatment.

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Sample Loss of Wage Verification Form

The following is a form that your employer may use to prepare a Loss of Wage Verification. Do *not* fill out this sample form. Rather, ask your employer to review this form letter and supply such information on your company's stationery.

This information *must be supplied on your company's stationery* or the insurance carrier will not accept it.

TO WHOM IT MAY CONCERN:

(Name of Employee) was employed at (Name/Place of Business), as (Job Title), on (Date of Accident).

Due to an accident which occurred on (Date of Accident) he/she was absent from work from (Date of Accident) to (Date Returned to Work). At the time of the accident, he/she worked (Number of Hours Worked Per Week), at a rate of (Rate of Pay Per Hour).

Signed by Employer
Title of Employer

3. Please obtain a disability slip from your doctor each time you see him/her while you are off work and mail it to us. You also should deliver a copy of each disability slip to your employer to prevent any problem with your employment.
4. We will submit the PIP or Med Pay form and related documentation to the insurance company for payment of benefits.

If You Are Handling Your PIP or Med Pay Claim

1. Complete and sign your PIP or Med Pay form.
2. Have your doctor complete the attending physician's report.
3. Ask your employer to complete the wage and salary verification.
4. Make copies of the bills and forms that you plan to mail to your insurance company to make your PIP or Med Pay claim. Send these copies to us.
5. Mail the forms to your insurance company with copies of all bills you have received.

Keep All Your Bills and Get Receipts. Keep all your medical bills and mail them to us. In addition, get receipts for all prescriptions and medical appliances you buy as well as other medical related expenses you incur at your doctor's request. And get receipts for all transportation expenses (bus, taxi, metro, parking, etc.) you incur travelling to and from the hospital, doctor or physical therapy. (If you drive to the doctor, write down your mileage for each visit). Be sure to mail all of your receipts to us, along with your medical bills.

Document Lost Wages. If you are unable to go to work, make sure you get a "disability certificate" from your doctor at each and every visit. Please mail this certificate to us for placement in your file. When you return to work, ask your employer to mail us a statement of the wages you lost because of the accident. This statement must be on your employer's stationery and state your job title, hourly or weekly rate of pay, and the amount of time you missed from work as a result of the accident. It should be signed by a company official. *A sample Loss of Wage Verification form is included on page 11 of this pamphlet.*

Keep a Diary. Keep a diary or make written notes of those days and nights, if any, that you experience severe pain or discomfort.

Report Any Prior Injuries or Pain. Be sure to tell us about any pain or injury to any parts of your body that you had before the accident. Many cases may be lost because the injured person fails to disclose a previous injury.

Keep Your Medical Cast or Brace. If your injury requires a cast, brace, traction or other medical appliance, make sure you save it. Notify us when your medical appliance is removed, so we can tell you what to do with it in preparing your case.

FILING YOUR CLAIM

We will submit your case to the insurance company for settlement when you have been discharged from medical care *and* we have your complete medical records and bills, prescription receipts, wage loss statement and proof of other losses, if applicable.

In the event we cannot achieve a satisfactory settlement of your claim, we will consult with you about filing a lawsuit on your behalf.

Winning a Case Takes Time and Patience

Please keep in mind that it takes time to settle a claim. It is better for you to wait and be fully discharged from medical care *before* your claim is submitted for settlement. If your claim is submitted for settlement before your medical discharge, you may not receive full compensation for your injuries.

No matter how long your case takes, be assured that we are attending to your claim even though we might not contact you for extended periods of time.

Please be patient. We will call you if we need your help, but we do not make it a practice to call you or advise you every time something occurs. At the same time, please be assured that we will promptly advise you of any significant developments in your case.

FILING PERSONAL INJURY PROTECTION (PIP) OR MEDICAL PAYMENT (MED PAY) CLAIMS

If you have Personal Injury Protection (PIP) or Medical Payment (Med Pay) coverage under your insurance policy, please notify your insurance company of the accident immediately.

If We Are Handling Your PIP or Med Pay Claim

1. Ask the insurance company to mail PIP or Med Pay forms to us right away. We will write the insurance company for PIP or Med Pay forms, but the insurance company may mail them to you. If you do get the PIP or Med Pay forms, please mail them to us immediately.
2. We will complete the PIP or Med Pay form and mail it to you for your signature. We also will send the insurance company's standard attending physician's report and wage and salary verification form.
 - Please sign and return the PIP or Med Pay form to us immediately.
 - Have your doctor complete the attending physician's report.
 - Ask your employer to complete the wage and salary verification form.
 - Return these documents to us without delay.

Depending upon the policy, the insurance company will pay charges either directly to the rental agency or through reimbursement to you. (Each company is different, so check before you rent the car). The insurance company will *not* pay directly or reimburse you for daily charges for gas, insurance, etc.

- **If You Rent Through Your Insurance.** The insurance company will most likely tell you to rent a vehicle and submit your receipts for reimbursement up to the limit of coverage. Check your policy carefully to find out how much rental coverage you have.
- **If You Rent Through The “At Fault” Party’s Insurance.** The insurance company might permit the car rental company to bill them directly. If not, you will have to rent a car at your expense and submit the rental receipts to the insurance company for reimbursement.

Do not keep your rental car any longer than authorized. The insurance company will only pay for a rental vehicle for the period of time they authorize you to rent it. If you keep the rental vehicle longer than originally allowed, the insurance company will most likely refuse to pay any of the additional costs.

Setting Up Future Appointments

If we need to meet with you, we will call you to set up an appointment. In the meantime, if you wish to meet with us, please call and make an appointment for a specific date and time. Please do not come to our office without an appointment, as we may not be able to meet with you due to other client meetings.

Contact Us If You Change Your Telephone Number or Address

If you move or change your telephone number, please notify us at once.



DEALING WITH YOUR DAMAGED VEHICLE

Move Your Vehicle Out of Storage

If your vehicle was towed to a lot for storage, find out where it is, as soon as possible, and have it moved. If you do not move it, high storage charges may accumulate which the insurance company may refuse to pay. You can arrange to move your vehicle either through your insurance company, the “at fault” party’s insurance company or on your own.

Have Your Damaged Vehicle Examined

Promptly arrange with the insurance company for examination of damages to your vehicle. This is important whether your insurance company or the “at fault” party’s insurance company is going to pay for the repair or value of your vehicle.

- **If your vehicle can be driven**, the insurance company probably will want you to bring the vehicle to its office for examination.
- **If your vehicle is disabled**, make sure that the insurance company knows the exact location of the vehicle. Find out when the insurance company will send a representative to examine the vehicle.

Expecting Payment for Repairs

The insurance company will pay you the lesser of the cost of repair of the vehicle or the fair market value of the vehicle.

Unfortunately, the law does not require the insurance company to replace your vehicle or to consider how much money you may owe on a note with a bank or finance company.

In almost all cases, the insurance company will issue a check made payable to you and the repair establishment, your bank and/or finance company.

Repairing Your Vehicle

If your vehicle can be repaired, take it to a reputable repair shop immediately. The insurance company usually will not recommend a body shop, garage or dealer for repair.

If you experience any problems with your vehicle after repairs are made, call the insurance company immediately and return the vehicle to the repair shop without delay. The insurance company will usually pay for the repair of any additional accident related problems.

Renting a Car

If your vehicle is disabled you may need to rent a car. You can obtain a rental through your insurance company (if you have rental coverage under your policy) or from the “at fault” party’s insurance company.

In either case, the insurance company will only pay for the *minimum* rental - usually \$15 to \$25 per day - as charged by insurance substitute rental agencies.