

By: Dan Baldyga

WHEN IT COMES TO A MOTOR VEHICLE ACCIDENTS THE "PAIN AND SUFFERING" YOU ENDURED IS WHAT YOU GET PAID THOSE BIG EXTRA BUCKS FOR: It's an absolute necessity that you ask a doctor or chiropractor to provide you with medical attention as soon as possible after your motor vehicle has been smashed into and then, when released, to provide you with his detailed Medical Report. This will make the difference between ending up with a fistful of thousand dollar bills, or a "Nuisance Value" settlement - - a small payment made to close the case.

Your claim of bodily injury has no credibility with Adjuster Henry Hard-Nose unless it's been verified by the Medical Report executed by Dr. I. M. Comfort, your attending physician. If you don't see a doctor or chiropractor, but still attempt to justify an additional payment for the injury that produced pain and discomfort (and you also contend you've lost time from work) Hard-Nose isn't gonna buy it. At the end of the day you won't be paid much, if anything, for your loss.

IF YOUR INJURY IS RELATIVELY MILD: Under normal, routine circumstances Ole' "Doc" Comfort will probably see you five to eight times without providing any complicated treatment. You can expect to be x-rayed, prescribed some pills, told to rest a few days or weeks, and possibly be advised to avail yourself of heat therapy, to be administered, by your honey, at home.

IF YOUR INJURY IS MORE SERIOUS: You may have to wear a cervical collar (a neck brace) for a few weeks. This can be uncomfortable but it will assist in your physical recovery, plus produce a higher settlement value of your claim. In many instances "Doc" Comfort will refer you to a specialist, such as an orthopedist (a bone doctor) or a neurologist (a specialist in nerve damage) for further treatment.

MINOR BODILY INJURIES: The vast majority of motor vehicle accidents cause minor injuries. Bodily injury pain cannot be specifically measured (temperament and psychological factors are involved) nor can the limits of human endurance. Each one of us has a different "Pain Threshold". That is, the point at which we begin to feel physical discomfort.

The amount and quality of pain you feel is not strictly dependent on the bodily injury inflicted. It has much to do with your previous experiences, how well you remember them, and your ability to understand the cause of the pain and its consequences. For example, the ex-Jock will probably experience a blow much differently than the individual who was never able to play contact sports because (to help with the family income) he was forced to find employment after school, at an early age.

HOW MUCH PAIN CAN A PERSON STAND? There's no specific answer to that question. Sudden pain, even of less intensity than, for example, a serious burn, can overwhelm the higher nerve centers; so much so that an individual could faint! Is Hard-Nose aware of and understand all of the above? You can bet your last dollar he does!

NEGOTIATING A PERSONAL INJURY SETTLEMENT

HARD-NOSE AND YOUR PHYSICAL ANGUISH: Don't kid yourself that Hard-Nose can't get a handle on, nor understand, the "Pain and Discomfort" you've been through. He can, but even so, he'll try to act as though what you've been experiencing is no big deal. Why? Because he knows your claim will cost a lot more money if you get the idea he understands what you've been through, regarding the impact your body was subjected to. Hard-Nose is well aware of where you've been, and where you're coming from, because he negotiates with injured people, day in and day out, year after year (all of them struggling with your identical problems) as he goes about the business of settling cases that involve "Pain and Suffering". He handles identical issues every hour of his work life. He knows what you're going through but (never forget!) his job is to make you believe your over exaggerating your complaints.

He's fully aware of all there is to know about Hard Injuries vs. Soft Injuries. He's constantly in contact with the twisted, bruised, battered, pulled and snapped problems created by the pain that people must endure because of injured Tendons and Ligaments, Muscle Strain and/or Spinal Cord injuries. Each and every day he's exposed to the wide range of problems that injured people must endure. These also include Stress, Anxiety and/or Emotional Reactions. Hard-Nose may be a low down, heartless, uncaring schmuck but he's no dummy when it comes to comprehending the legal concept of 'Pain and Suffering'. His paycheck depends upon how well he understands these factors. Why? Because they're so dramatically involved in the amount of money that's paid out (when it comes to such matters) by the corporation he makes his living stonewalling for. So, you may ask, exactly how does Henry Hard-Nose make his living? The answer to that one is very simple: He's paid to manipulate injured people into ridiculously low settlements.

HARD-NOSE AND YOUR MEDICAL BILLS: Adjuster Hard-Nose may try to con you by telling you that many of your medical expenses don't qualify as "Medical" in character. He'll attempt to divide your medical costs into two areas - - one part "Diagnostic" and the other "Treatment". In "Diagnostic" he'll include ambulance and emergency room costs, the cost of X-rays, plus visits to specialists. The rest of your bills, usually the money paid out to the hospital emergency room and regular office visits to your doctor, physical therapy and medication, he'll term "Treatment". Those items he incorrectly identifies as "Diagnostic" are bills that Hard-Nose will try to disallow - - telling you that they're not "Medical" in nature.

He knows, if he can get away with doing this, the value of your claim will have been drastically reduced, because the bottom-line amount of your "Special Damages" has been dramatically downgraded. Hard-Nose will contend that only the "Treatment" portion of your bills are "directly related" to the severity of your injury, therefore that's what truly reflects the value of your "Pain and Suffering".

Don't let him get away with that !Demand full inclusion of ALL medical bills, otherwise your personal injury claim will be drastically reduced in value. (To clearly understand what I'm advising here you should go to my third "How To" Insurance Claim book found at <http://www.autoaccidentclaims.com>: Auto Accident Personal Injury Insurance Claim (How To Evaluate And Settle Your Loss) and purchase my book.

Talk to Adjuster Henry Hard-Nose, conjuring up all the authority you can muster (just as if you understand everything there is to know about the settlement and personal injury evaluation process - - and if you've read my book you will). Then tell him, Legally speaking you can't separate medical expenses into two categories. Each bill I have goes hand-in-hand with all the others. It would be impossible for me to get properly treated without being thoroughly diagnosed and, even more important than that, I can't place a value on my personal injury claim until all my Special Damages have been correctly assessed.

When he hears that Hard-Nose will blanch and then gulp! Why? Because he knows, in his black heart, what you're telling him is true. He'll suddenly become aware that you know how to go about placing a value on your Pain and Suffering. And that, will put an end to his nonsense!.

DISCLAIMER: The only purpose of this article ~Adjuster Henry Hard Nose ~ And Your Payment For "Pain And Suffering", is to help people understand the motor vehicle accident claim process. Neither Dan Baldyga NOR Home Autobody New Hampshire makes any guarantee of any kind whosoever; NOR do they purport to engage in rendering any professional or legal service; NOR to substitute for a lawyer, an insurance adjuster, or claims consultant, or the like. Where such professional help is desired it is the INDIVIDUAL'S responsibility to obtain said services.

Copyright (c) 2003 By Daniel G. Baldyga