

REDEFINING NECK INJURIES Part 1

Part of the challenge proving serious short and long term injuries is old language. No longer can today's DC simply describe an injured neck as a sprain/strain.

Using the dread phrase "sprain/strain" has no potency. There is little definition and broadcasts that the DC does not expect full payment.

Jurors and judges when they hear the patient has a "sprain" believe there is no trauma. Give credit to the insurance industry for deconstructing a formerly useful term. Skeptics demand specific facts:

1. Extremity symptoms:

Direct impact, torsion or traction injuries to the site. Entrapment neuropathies, thoracic outlet syndrome, disc derangement or ligament injuries

2. Dizziness/Lightheaded

Injury to neck muscles, vascular compromise, vestibular injury or brain trauma;

3. Hoarseness

Swelling of the muscles around the throat, hematoma behind the throat or voice box or direct trauma larynx;

4. Sleep loss /depression

High pain levels, post traumatic stress reactions, lack of normal exercise/movement

Working to find more than a mere non descriptive sprain/strain will help justify more care but helps explain the quality of suffering endured by your PI patient.

Part of this article comes from PI Review by Gary Lewkovich DC. Contact us for a full copy at Johntawlian@shawnsteel.com

UNINSURED DRUNK DRIVER

Judge Arleigh Maddox-Woods had little patience with the UM insurance company.

Francesca Pizzochieri was a chef owner of her café in Torrance. A drunken defendant made an unsafe left turn in front of her car. He was arrested at the accident site.

She suffered neck, low back, head, shoulder and chest injuries. She also got a black eye indicating mild brain trauma. Francesca never returned to work in her café.

Her DC sent her to a quality neurologist who diagnosed measurable cognitive losses.

Judge Maddox Woods made a combined award of \$255,000 with only \$20,690 in medical bills.

We are proud of our Dieter Zacher trying this case to a favorable verdict against Safeco Insurance.

LESSON TIPS:

1. Judges and juries don't like drunk drivers and often award a larger award.

2. People have great sympathy if your patient loses her career or avocation.

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