

## PI E-MAIL & FAX ALERT

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### We Get Questions

**Question:** My patient had an accident with \$500 damage to his car. X-Rays revealed osteoporosis on two levels on his low back. My bill will probably get to \$2500. But my patient tells me the adjuster would not guarantee payment. What should I do?

**Answer:** Dr you are on a dangerous road. Without any guarantee you might be doing work for free. We suggest—

1. In all PI cases get co-pay up front. This teaches the patient personal responsibility and gets them in the habit of paying for PI services.
2. In this case, the defense will not guarantee, the patient has zero med pay and there is no lawyer [no lien] then you have a high risk.
3. Explain to patient that this cannot be a lien case because there is no attorney nor is there any support from the defendant's insurance.
4. All fees must be paid up with each visit. But you can give a discount without all the usual therapies.
5. You will give the patient a super bill showing paid in full. The patient can get reimbursed.

The patient can *easily* get reimbursed by going to Small Claims Court. They can follow this link [Clients Resources Page](#) for information.

**Question:** My patient was in an accident in the mid west. She delayed care for 2 months---but used OTC meds before she got a call from her adjuster. The adjuster "agreed" to pay my fees so long as they were under \$5000. Now he is ignoring my calls

**Answer:** Never make this agreement unless you have it in writing. With an out of state insurance company it's even more important. You can try to smoke them out in your local Small Claims, claiming "detrimental reliance" on their oral promise.

Again, for ALL PI cases, always charge a co-payment.

### Mercury fined and under investigation

Lawmakers call for investigations against Mercury for violating several laws. The charges include: illegal practices, deceptive pricing and worst of all discrimination against military personnel.

Steve Poizner, Insurance Commissioner [and candidate for governor] issued a formal report from his office that Mercury repeatedly violated a landmark law passed in 1988. Mercury is accused of not granting expedited coverage to emergency vehicle drivers or military personnel. A congresswoman accused Mercury of charging higher premiums to veterans.

Mercury since 2006 has been fined over \$600,000 for complaints to the Dept of Insurance.

Your complaints re med pay to the Dept of Insurance are having an impact!

[ Click [here](#) for more details]

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### Jeffrey S. Miller DC hero Defeats Ortho in Alameda



In a tough motorcycle vs. vehicle case in Dublin orthopedist Darrell Hayes MD testified that the victim's injuries were not significant.

The jury believed Miller DC, [Castro Valley]. When David Hollimon was hit by a car, thus spinning his motorcycle around, throwing him off his seat and propelled him some 20 feet---he really got hurt. The injuries included contusions to left shoulder, left leg and foot, with a chip fracture to the left fifth metatarsal.

The jury awarded \$71,894. Defendant first offered \$30,000 then \$40,000.

[Hollimon v. Sipes VC 06285637](#), Judge Lawrence Appell, Alameda Superior Court.