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Insights Into Your Med-Pay Insurance Coverage

By Dan Baldyga

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by: **Dan Baldyga**

While Legal Romantics would like to characterize the trial of a lawsuit as a "Search For Truth" that's not a reality!

Cases are decided on the evidence. When reviewing cases before them, judges invariably use the phrase, "The evidence shows", rather than, "The truth of the matter is". That first phrase is a reality that filters from the courtroom down to the objective evaluation of each case tried.

If Fred Fuddle is the town drunk, or if his conduct at the accident scene was provably abnormal than the value of your case should increase. If your injuries are visible and/or demonstrable, it's likely your settlement will be larger. The conduct of both Fuddle and you before the accident may be significant. If you had been at a bar drinking heavily or raising holy hell out on the highway before the accident, you'll get less regard from the jury than if you were driving to your house of worship with your family.

So, the circumstances of your behavior before, during, or after the accident increases or decreases the value of your settlement.

THE SIX MOST IMPORTANT ELEMENTS IN THE "EVALUATION PROCESS": To be fully informed, you must know and understand the six primary evaluation elements that figure into the process of evaluation. They are as follows:

(1) THE FACTS (2) THE EVIDENCE (3) THE LAW (4) YOUR INJURY (5) SPECIAL DAMAGES (6) THE INTANGIBILITIES.

(1) THE FACTS: The gathering of the provable factual information is the first step in the evaluation. If you try to evaluate a claim without as complete a file of facts as possible, it's like going hunting for a lion with a slingshot.

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(2) **THE EVIDENCE:** You must weigh all factual evidence known to you against the actual evidence you can produce to substantiate it. No matter what information you're aware of, your position will always be stronger if you have the evidence to back you up.

For example: You can talk until the cows come home about the unsightly black-and-blue marks you had on your face, ribs, and hips, the scar on your forehead, or the 75 feet of skid marks Fred Fuddle's auto left on the highway before he smashed into you, but Adjuster I. M. Smart will never adequately comprehend, (nor want to believe you) unless you provide him with photographs.

Providing Smart with the proof-positive of photographs will cause his Supervisor's eyes to bulge as he inhales a deep breath of resignation and declares, "Hey, this one's gonna cost us" .

QUESTION: "How can Dan be so sure about that"? **ANSWER:** "Because before Dan retired, after spending over 30 years on that firing line, he was an Insurance Adjuster, Supervisor, Manager and

Trial Assistant. He's been there, saw that, plus heard (and felt) that many thousands of times"!

Whenever possible you must help Adjuster I. M. Smart justify the settlement figure he wants to get approved by his immediate superior at Granite Mountain Insurance Corporation.

(3) **THE LAW:** As proved in over 83% of the accidents in the United States in 2003 the impact you were subjected to is clearly the fault of "Fumbling" Fred Fuddle, so the law is on your side.

Armed with the information found in my third book **AUTO ACCIDENT PERSONAL INJURY (How To Evaluate And Settle Your Loss)** plus **THE BASE FORMULA (The Baldyga Auto Accident Settlement Evaluation Formula)** you'll be able to do that. **THE BASE FORMULA** will correctly evaluate your "Pain and Suffering". Because of this, you can settle your own claim without handing a huge percentage to an attorney. A lawyer who has done nothing more than have his secretary send Fuddle a letter of representation and then think it's perfectly acceptable (after many months, sometimes years, of hiding/stumbling/fumbling and verbally pitching his well-practiced answer when you asked, "Hey what's going on with my claim?" with an answer like, "I'm right on top of it, hang in there, old friend and I'll make it come out right", and then proceed to take a huge portion of your settlement dollars, for doing little or nothing to earn it.

(4) **INJURY TO YOU:** The seriousness of your injury has to be considered. (Ole' Doc Comfort, your attending physician's Medical Report, should go into detail about that). Your age will have an effect on the time it takes you to recover. The time you lost at work will have a direct bearing on the length of your recovery.

(5) **SPECIAL DAMAGES:** All of your direct and tangible losses are prime factors to be implemented in the consideration of the value of your claim. (Clearly stated details regarding Damages are found in Chapter Four of my book).

(6) **INTANGIBLE ELEMENTS:** These include your reasonableness, your economic status, your standing in the community, the obvious sentiment conjured up when one considers the degree of the

seriousness of your injury, plus the attitude of Fred Fuddle (and often your witness) regarding your case.

Sympathy will come into play if you're a widow or a highly respected Little League Coach, in contrast to your being identified as a raucous bum with a history of getting into scrapes with the law.

Emotional factors often have considerable weight in the evaluation of your claim. Whatever the intangible elements may be, you must force yourself to investigate and then evaluate them just as objectively as possible. So, if what's being contended is incorrect, you can deny them (plus you must prove the conclusions not to be true) when and where it becomes appropriate to do so.

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DISCLAIMER: The only purpose of this article **INSIGHTS INTO YOUR MED–PAY INSURANCE CLAIM COVERAGE** is to help people understand the motor vehicle accident claim process. Neither Dan Baldyga nor

make any guarantee of any kind what whatsoever; **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. Whenever such help is desired it is **THE INDIVIDUALS RESPONSIBILITY** to obtain such services.

Dan Baldyga is now retired and spends his time writing articles to assist those who are involved in motor vehicle accident claims so they won't be taken advantage of:

AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM (How To Evaluate And Settle Your Loss)

North Carolina Individual Health Insurance - 5 Tips To Get You Started

By Jessica Farrell

If you live in North Carolina and are in need of health insurance, it is important that you take your search for coverage seriously. Searching for individual health insurance is not as simple as signing up for the health insurance offered by an employer—much more thought on your part goes into the process. Follow these tips to help you find, and keep, affordable individual health insurance that offers the coverage you need.

1. **Plan.** Before you start looking for an individual health insurance provider, figure out the coverage you need and how much you can afford to spend. If you plan first, you will find it easier to look for and compare insurers that offer what you need at the price you can pay.

2. **Shop around.** The search will probably be long and tiring, but it is important to compare the rates and coverage of several different health insurance options before committing to one. Individual health insurance usually costs more, so you want to make sure you are getting the coverage you need for the

price you pay.

3. Narrow your search. Check whether or not your state requires individual health insurance providers to approve all applicants. Since individual insurance plans are medically underwritten, the insurance providers are not required to accept everyone unless otherwise declared by the state. You may want to search only for providers that will guarantee coverage. Contact your state insurance department for details.

4. Do some research. Once you have decided on a few possible providers to choose from, find out if they use a network of medical professionals and whether or not they allow out-of-network coverage. If they do not, find out whether or not the network they use includes reliable and reputable medical professionals that you will feel safe and comfortable visiting.

5. Keep up with your coverage. Once you find an individual health insurance provider that you are comfortable with, make sure to stick with it. If you go without insurance for more than 63 days, you will lose any coverage you have for any pre-existing conditions you may have.

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