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Motor Vehicle Accident Insurance Claim Guide

By Dan Baldyga

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by: **Dan Baldyga**

This is a FREE Insurance Claim Guide created especially for the readers of ARTICLECITY.COM as a 2004 "Gift",

Your "Motor Vehicle" can be a truck, car, motorcycle -- you name it! If it's powered by a motor and has one, two, three, four (or even more) wheels this "Guide" is for you.

The information below is a bare-bones "Guide" for those who have had such a motor vehicle accident. It details the basics of how one should with their property damage and/or personal injury claim.

AFTER IMPACT CHECKLIST

We heartily suggest you make a copy of this "Impact Checklist" to be kept handy within the confines of your motor vehicle. A "Guide" to refer to so you'll be certain, should an accident take place, that you've covered everything.

Other than the fact that one must obtain from the other operator, both their drivers license and motor vehicle registration information, you should also proceed to do the following:

IMMEDIATELY MAKE SPECIAL NOTE OF: Names and addresses of eye witnesses. And later the investigating police officers name and badge number. **WEATHER CONDITIONS:** Snow, rain, fog, mist, sleet, etc. **ROAD SURFACE:** Dry, wet, slippery, icy, etc. **IMPACT AREA:** City, suburban, business, wooded, etc. **VISIBILITY:** Sunny, cloudy, dusk, night, moonlight, etc. (Was the sun in the other driver's face)? **TRAFFIC CONTROLS:** Were there overhead lights? Posted speed limit signs? Stop or warning signs? Hospital or school zone signs? **CREATE A DIAGRAM:** Driving area: Flat, crowned, straight, curved, macadam, asphalt, concrete, cobblestone, dirt, etc. Indicate the width of street. Show the location of impact, gouge and/or skid marks. **CONDITION OF MOTOR VEHICLE THAT STRUCK YOU:** Age and general overall condition. Is their state inspection sticker displayed and

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up to date? Were chains or snow tires needed? **AS SOON AS POSSIBLE RETURN TO THE SCENE AND SNAP PHOTOGRAPHS:** It's most important to take pictures of: Skid or gouge mark's on the road surface plus the damage to both vehicles. **PHOTOS OF YOUR BODILY INJURIES:** It's crucial to the ultimate value of your claim to snap a multitude of colored photos (up close and from different angles) of your bodily injuries – especially all black and blue marks or bruises.

INSIGHTS INTO HANDLING YOUR CLAIM (There Are Six Areas You Must Be Familiar With) 1. Out-Of-Pocket Expenses 2. Lost Time From Work – Lost Wages 3. Property Damage Losses 4. What Your Medical Doctor And/Or Chiropractor Reports Should State 5. Medical Payments Coverage 6. What To Do If An Adjuster Refuses To Cooperate

You Should Go Into Detail Regarding These (Below Listed) Six Areas:

(1) **OUT-OF-POCKET EXPENSES:** These are expenses that can be measured in definite sums of

money. They are the foundation of the calculations used to award damages (including that often great and extra amount paid to you for your "Pain and Suffering") regarding any financial loss flowing directly from the injury you may have sustained.

MEDICAL EXPENSES: Obtain all bills and services rendered. (Prior to their being sent out, you have ever right to ask for and read the crucial Final Reports regarding your physical condition from your Doctor, Chiropractor, "Medical Specialist" and/or Dentist). Medical Expenses Typically Include: Ambulance ~ Emergency Room ~ Hospital or Clinic ~ Laboratory Fees and Services ~ Diagnostic Tests: (X-rays and/or CT Scan) ~ Registered or Practical Nurse Fees ~ Medicine and/or Prescription Medications ~ Prosthetic Appliances or Surgical Apparatus (Canes & crutch, etc.) ~ Physical Therapy ~ Ace Bandages, Gauze & Tape ~ Heating Pads ~ Creams, Ointments, Balms & Salves. As you read them make sure these Medical Reports include the length of time of your "Total Disability" and/or your "Partial Disability". These are of enormous value because they justify the often HUGE, extra payment made for your "Pain and Suffering" . (Plus this information will also prove your claim for Lost Wages).

NON-MEDICAL DAMAGE EXPENSES. These include: Lost Wages and Earnings ~ Lost Vacation Time and/or Sick Leave ~ Travel Expenses: (Transportation costs incurred getting to and from The Doctor and/or Hospital, etc.) ~ Household Help During Disability ~ Child Care During Recuperation.

(2) **LOST TIME FROM WORK – – LOST WAGES – – YOUR "LOSS EARNING CAPACITY":** The weeks, hours and/or days you were unable to work (thus the money you may have lost) is added up and documented on company letterhead. You're often entitled to compensation for "Lost Time and Earnings" even if you have no actual loss of money ! Such as, for example, if your salary is paid by some other insurance coverage you may have or by taking sick leave or some other similar arrangement. It doesn't matter if you're employed full time, part time, self-employed, own your own business, retired, unemployed, or a housewife not employed outside the home, you should keep a written record of all household help and/or child care needed during your disability period.

All of these constitute an element of your "SPECIAL DAMAGES" mainly "Lost Wages". Insurance companies usually don't view your time away from work (because of an injury) as "Lost Time And

Earnings" but as "Lost Earning Capacity". In most states one is entitled to compensation for lost time and earnings even if they have no loss of money. For example, when your salary is paid for by another insurance coverage you have or by taking sick leave and/or some other similar type of arrangement. There are specific situations to be considered and called to the forefront when it comes to being employed either full-time or part-time. More detailed information (regarding these above stated area's of your loss) are found in CHAPTER FOUR "Damages" within the book AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM.

(3) **PROPERTY DAMAGE LOSSES: "AGREED COST TO REPAIR":** This figure has been negotiated between your damage repair person and the insurance adjuster. Be sure you know (and possess a written copy of) exactly what that figure is. **COLLISION:** There's usually a deductible. Read your policy. (If you're not at fault you should eventually be able to get this money back). **PROPERTY DAMAGE LIABILITY:** Protects you for damages you do to the property of another (i.e. his or her trees, lawn, shrubs, mailbox, etc.) **EXCLUSIONS:** These are stated in your policy. A good rule of thumb is, "If it's not excluded, it's covered". Read your policy closely to discover your exclusions and how they apply. **TOTAL LOSS:** A "Total Loss" is when the motor vehicle damage exceeds the value of the vehicle, as stated within all of the up-to-date and "Official" Property Damage books and/or documents. **OTHER PROPERTY DAMAGE LOSSES:** Clothing, jewelry, watches, eye or sunglasses, etc. You can also collect for your (or any other individuals) personal property which happened to be in the car and was

damaged. (Be sure to have written proof of the cost of each item damaged plus the date it was purchased). Never forget: You're entitled to be reimbursed for any charges you may have incurred for towing, storage and/or substitute motor vehicle rental, or for that matter -- any other alternate transportation.

The above is a very brief review. For more in-depth information read CHAPTER FIVE: PROPERTY DAMAGE found in AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM.

(4) **WHAT YOUR MEDICAL DOCTOR AND/OR CHIROPRACTOR REPORT SHOULD STATE:** Each "Injury Evaluation Factor" should be clearly stated within each of your final Medical Reports. For example: That your disability is solely the result of the accident. If there were any pre-existing conditions aggravated by your injuries? What treatments were administered and for what duration? What medications were prescribed, in what amounts and for how long? What symptoms or medical problems were such medications meant to relieve? Were there any adverse reactions demonstrated? Ask to read them before they're sent to the adjuster so you're sure it explains the nature, plus the extent and frequency of the pain that an injury, such as yours, will likely cause.

PROGNOSIS: This is the clearly stated information (regarding your personal injury progress) and should include: The part played by a pre-existing condition, if any? Their prediction of any possible future temporary disability/impairments? Does the individual attending you anticipate any further or future treatments? **LENGTH OF YOUR "TOTAL" DISABILITY:** Why? Because it's so important (when it comes time to settle) this is clearly stated in weeks and days. **LENGTH OF YOUR "PARTIAL" DISABILITY:** Again (and for the same reason as above) this too should be clearly stated in weeks and days. (Specific details, regarding both "Partial" and "Total" Disability, and the incredible value it provides for you in your claim, are found in CHAPTER SIX: YOUR BODILY INJURY).

(5) **MEDICAL PAYMENTS COVERAGE:** If you have this coverage in your motor vehicle policy, it will pay (up to the limits stated) for all medical bills arising out of the accident – – regardless of who's at fault! (You must read your policy carefully because the "Who", "Why" and/or "How" of this often differs).

A WORD ABOUT HEALTH INSURANCE PLANS: In certain instances, it may be possible to have your medical bills paid and yet avoid any repayment by tapping into your health insurance coverage, or some other plan you may have. (Yes, this means, under certain circumstances, you may be able to collect twice for the same medical bills)!

(6) **WHAT TO DO IF THE ADJUSTER REFUSES TO COOPERATE?** These Are Your Usual And Routine Choices: a. Threaten that you're going to obtain the services of a lawyer to represent you. b. Go over the adjuster's head. c. Resolve your loss in Small Claims Court. d. Contact the proper people (working through the State Department of Insurance) implementing the time honored principle of "Good Faith" vs. "Bad Faith".

All the information necessary for you to deal with and handle the above issues are spelled out within the contents of **AUTO ACCIDENT PERSONAL INJURY INSURANCE CLAIM (How To Evaluate And Settle Your Loss)** found on the internet at

or

This book also contains **BASE (The Baldyga Auto Accident**

Settlement Formula). **THE BASE FORMULA** will tell you exactly how many dollars the "Pain and Suffering" you endured are worth.

DISCLAIMER: The only purpose of this article is to help people understand the motor vehicle accident claim process. Dan Baldyga, does not offer a guarantee of any kind whatsoever, **NOR** to substitute for a lawyer, an insurance adjuster, or claims consultant, or the like. Where such professional help is desired it is the **INDIVIDUALS RESPONSIBLY** to obtain such services.

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For over 30 years Dan Baldyga was a Claims Adjuster, Supervisor, Manager and Trial Assistant. He is now retired and spends his time attempting to assist those involved in motor vehicle accident claim so they will not be taken advantage of.

Travel Safe With Adequate Car Insurance

By Elizabeth Newberry

Americans love to travel, there's no doubt about it. Whether we're headed to one of the coasts for some fun in the sun at a beach, or to the mountains to hit the ski slopes, we're traveling all over the country every season of the year, which makes having adequate car insurance even more important.

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Today, all 50 states require some form of financial responsibility when it comes to automobiles. Some states require actual car insurance from a licensed car insurance company, and some merely require us to provide proof of financial responsibility should we find ourselves in a motor vehicle–related accident one day.

Even though it's illegal to skip out on your state's car insurance or financial responsibility requirements, the fact is that many people do skip out. This is why it's so important for you to protect yourself with adequate car insurance or financial responsibility, especially if you frequently travel. When we travel, we aren't always familiar with the interstate highways and smaller town roads we drive to get to our destinations. Other drivers may be just as unfamiliar with the roads as you are. This unfamiliarity can lead to motor vehicle–related accidents.

If you're involved in a motor vehicle–related accident with a driver who doesn't have any car insurance, much less adequate car insurance, you'll be able to rest assured that you'll at least be covered. You can do this by not only meeting your state's car insurance or financial responsibility requirements, but by exceeding them. Consider going beyond just purchasing liability insurance and purchasing full coverage insurance. You should also look into underinsured motor insurance coverage - this will protect you in the event that you're involved in an accident with a driver who has no insurance, or not enough insurance, to cover physical and property damages.

Whether you plan to travel across the country or down the street, make sure you're protected with adequate car insurance!

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