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Vehicle Collisions and Pedestrian Accidents

Being involved in a motor vehicle accident is often disorienting and scary. The steps that you take immediately following the accident are very important in the long term. We have compiled the following information in order to help you through the process of resolving the issues related to your claim.

Checklist

- Get the care you need immediately. Your physical recovery is your top priority.
- Report your accident to the police and check that a Traffic Collision Report has been completed.
- Document Injury! List physical & emotional symptoms, dysfunction and associated lifestyle changes.
- Report accident to your insurance agent. Confirm that you have personal Injury Protection (PIP).
- Fill out PIP application for this accident. Make a copy and send it to your claim adjuster. Document Property Damage - take your own photos of the vehicle damage.
- Work with the system to get car and/or property repaired correctly.
- In some cases, speaking with a personal injury attorney is necessary. Ask us if you would like a referral.

First and Foremost

Your physical recovery is your top priority. Seek the appropriate medical and chiropractic health care. Do not delay! Assuming that the pain will “work itself out” is potentially harmful. Take full advantage of the initial stages of the healing process. That way, you can set the stage for accelerated healing time and also increase your level of comfort right away.

Pitfalls to Avoid

Most of the time, your insurance company is on your side and they are willing to do what is necessary to help you recover. However, if you get the feeling that your agent or adjuster is more interested in cutting their expenses than seeing to your physical needs and property loss, then you will need to take a more aggressive action.

- 1) Some adjusters will say just about anything over the phone. Keep this in mind. If they tell you something that makes you feel uncomfortable, or just seems unfair or wrong, immediately ask, “Can you send that to me in writing?” Often, that single question alone will cause them to work with you in the future.
- 2) Always maintain a journal of your contacts with the insurance company, as well as journaling your symptoms. Document who you talked to and what was said and keep daily detailed accounts of your symptoms and make note of what you do to alleviate them (e.g. ice, rest, medicines, chiropractic, etc.), any work loss due to injury. Keeping an accurate daily record can avoid many future problems and greatly strengthen your case.
- 3) If you have questions regarding your rights, insurance coverage/claim, or your legal options, speaking with a personal injury attorney is usually the right choice.

Medical Bills & PIP

If you have been involved in a motor vehicle collision, your related healthcare bills will probably be covered under your own automobile insurance policy, through Personal Injury Protection (PIP) coverage. *By law, your insurance premiums cannot go up if you make a claim under your PIP coverage.*

- If you were injured as a passenger in someone else's vehicle, as a bicyclist struck by a vehicle, or as a pedestrian struck by a vehicle, you may use the driver's PIP coverage. If the driver did not have PIP coverage, then you can use your own PIP insurance on your own vehicle. If there is no PIP or health insurance available to pay your medical bills, the wrongdoer's insurance company will not pay medical bills until you are finished with medical treatment and are ready to settle your claims.

Wage Loss

Your wage loss will generally also be covered under any available PIP coverage, subject to some restrictions. Most standard PIP policies pay 85% of your normal weekly wages, up to a typical maximum of \$200/week. Beginning on the fifteenth day following the collision. If there is no available PIP coverage, the wrongdoer's insurance company should compensate you for your wage loss, but not until the time of settlement.

- Your inability to work should be documented by order of your healthcare provider. Make sure you document with your employer that your time off of work is related to the accident. If you are self-employed, be sure to keep thorough records.

Choosing an Attorney

Always insist on an attorney associated with a law practice that is entirely devoted to Personal Injury Law. They are specialists in protecting your rights, resolving property damage claims, and working with healthcare providers to ensure that you are able to get the treatment necessary to reach your pre-injury stats. They can get your medical bills paid, and relieve the stress and anxiety of dealing with the claim yourself.

- Caution: The wrong attorney may be worse than no attorney at all... Please feel free to ask our office for a professional referral.
- Remember, consulting a personal injury attorney for an initial evaluation is usually free.