

13 QUESTIONS ANSWERED AFTER A SCOOTER ACCIDENT

We asked our staff and lawyers what were the most frequently asked questions they received after our clients were injured in a scooter accident. We felt like putting together a list of these questions and answers would serve as an efficient way to educate our clients. We hope that this list will assist you in your time of uncertainty. We wish you the best for a speedy recovery and a successful scooter accident claim.

Note- these Q &As are not meant to deal with e-scooters.

FREQUENTLY ASKED QUESTIONS

1. **How Long Will This Take?**
2. **Who Pays For Gas to Get to My Doctor Appointments?**
3. **What Happens If I Miss Work?**
4. **Who Handles The Damage to My Scooter?**
5. **Should I See My Primary Care Physician?**
6. **Why Do I Need to Go To a Chiropractor?**
7. **It Hurts When I Get an Adjustment. Do I Have to Keep Going?**
8. **What Happens If I End Up Not Being Seriously Hurt?**
9. **Who Is Going to Pay My Medical Bills?**
10. **When Will You Know If There's Insurance Coverage?**
11. **What Happens If There's Not Enough Coverage to Pay My Bills?**
12. **What Do I Have to Pay the Attorney If There's No Coverage? Or If We Don't Win?**
13. **How Much Money Will I Get?**

Personal Injury Attorneys McQuaid & Douglas

St Petersburg Office • 5858 Central Ave Suite A St. Petersburg, FL 33707 • (727) 381-2300

Riverview Office • 12953 12953 U.S. 301 Suite 102a Riverview, FL 33578 • (813) 639-8111

www.727injury.com

1. HOW LONG WILL THIS TAKE?

There is no way to accurately predict how long your scooter accident case will take because it depends on factors outside of our control. But, there are some general rules of thumb.

- If your injuries are soft tissue in nature and you only get conservative treatment, your case should be ready for a demand within 6 months.
- If your injuries require any type of injection or invasive treatment, add at least 90 days to the treatment period.
- If your injuries require surgery, surprisingly, most claims end pretty quickly because the insurance company knows it's a big case and will pay. But, in order to get to a surgery, most of our clients first exhaust conservative treatment and then a series of injections. So, you could be looking at several months of medical treatment just to get to the point of deciding to get the surgery.

2. WHO PAYS FOR GAS TO GET TO MY DOCTOR APPOINTMENTS?

We are able to provide you with a mileage reimbursement form to keep track of your mileage to and from your doctors appointments. If you want to, keep track of your mileage until the end of the case to be included in the demand for damages.

3. WHAT HAPPENS IF I MISS WORK?

Reimbursement for lost wages is a very important item of damages. You must keep track of every hour that you miss or every job that you cannot perform. Documentation is the key to recovering money for lost wages. If your income drops from year to year because you are unable to work, your tax returns may also be used to prove this.

4. WHO HANDLES THE DAMAGE TO MY SCOOTER?

You can always go directly through the insurance company for the at-fault driver. There is normally plenty of property damage coverage to pay for the replacement of the scooter or the repairs. If your scooter is insured and you want your own company to handle the property damage, you must carry comp and collision auto insurance. This is different from property damage (which covers damage that you cause to another). Be aware that if you get your property damage handled by your own company, you will have to pay a deductible (usually \$500) and then hope that your insurance company can recover it for you.

5. SHOULD I SEE MY PRIMARY CARE PHYSICIAN?

We do not recommend that you see your primary care physician for your scooter accident. First, primary care doctors do not usually take scooter accident cases because they are simply not set up for them. Second, PCPs do not specialize in scooter accident injuries, so they often simply tell their patients that they will be fine with rest and time. Third, PCPs do not properly document their files. This means that when you submit those records to the insurance company for damages, your case will be worth less.

That all being said, every scooter accident case is unique. Depending on the insurance situation, we might recommend that you receive medical treatment through your health insurance. If we make this recommendation, you may need to see your PCP in order to be referred out to specialists.

6. WHY DO I NEED TO GO TO A CHIROPRACTOR?

To be clear-you are never required to go to any particular doctor. But, for most soft tissue cases, we recommend starting with a chiropractor for a few reasons. Chiropractors specialize in scooter accident injuries, so they have undoubtedly seen your injuries before. They are also very good at therapy that is helpful for back and neck injuries. They know how to write reports that will help your claim. And, because they deal with so many scooter accident injuries, they will know the other doctors to send you to if your situation calls for it. We have found that chiropractors are very good “quarterbacks” for our clients’ medical treatment.

7. IT HURTS WHEN I GET AN ADJUSTMENT. DO I HAVE TO KEEP GOING?

No. Chiropractors are not for everyone. While they normally do a good job at alleviating symptoms after the scooter accident, the treatment doesn't always work. If you are not comfortable or are having pain, then let us know and we can work to find another solution. It may be as simple as switching you to physical therapy or sending you to a pain management doctor. Please do not continue to go somewhere simply because you don't want to disappoint us or have it affect your case. Switching treatment because it is not working will not hurt your claim.

8. WHAT HAPPENS IF I END UP NOT BEING SERIOUSLY HURT?

This is a loaded question because the degree of being "hurt" or "injured" is so subjective for scooter accident claims. Our advice is to wait until after you have had your MRI to evaluate your situation. You would be surprised about how easily the discs in your spine are injured by the forces involved in an accident. MRIs are very sensitive and can detect these injuries. Regardless, even if you do not have a serious injury like a broken bone, your case might be valuable. Just follow your doctor's advice and communicate with our office to come up with a plan.

9. WHO IS GOING TO PAY MY MEDICAL BILLS?

How medical bills are handled is one of the most challenging aspects to any scooter accident claim. We will come up with a plan for your medical bills depending on the insurance situation. Sometimes, we encourage our clients to use their health insurance for as much medical treatment as possible. Understand that if your doctors bill your insurance, there will be a lien that we have to repay out of any money that we recover for you. But, we can sometimes get that lien reduced.

If you do not have health insurance, you can either pay out of pocket or get treatment on an LOP (like an IOU). Before you treat through a LOP, we will need to determine liability and have a discussion with you and your doctors about the risk.

10. WHEN WILL YOU KNOW IF THERE'S INSURANCE COVERAGE?

Finding out the amount of insurance available is very important to us. We send out letters of representation to the insurance company the day that you sign the contracts with us. We then follow-up within a day or two to get a verbal answer on how much insurance there is. So, we will usually have a pretty good handle on the amount of insurance within a few days. Getting this information quickly is important because we want your medical bills to be in line with the amount of insurance.

11. WHAT HAPPENS IF THERE'S NOT ENOUGH COVERAGE TO PAY MY BILLS?

In this scenario, we should know very early on if there's a problem with your bills. Rest assured, your bills will not be a problem because our office allowed you to run up those bills when the insurance was not available. Most likely, you would have had large bills from the hospital. In these situations, we encourage our clients to settle their claims and then negotiate directly with the medical provider. Often, once the provider learns that there isn't enough money to pay their bills, they will write them off or reduce them significantly. Of course, you can always choose not to pay the bills too. We will always advise on what we believe is the best plan of action for you. We will not leave you hanging.

12. WHAT DO I HAVE TO PAY THE ATTORNEY IF THERE'S NO COVERAGE? OR IF WE DON'T WIN?

If there is no insurance coverage, we don't have a claim or a case. This is a situation that we sometimes face because Florida does not require bodily injury insurance in order to register a car. The silver lining is that you will not owe our office anything. You do not owe us a fee and you don't have to reimburse the money that we spend on costs. We understand that not every case will result in a recovery, so that is the risk that we take when we agree to take your case. However, rest assured, that we will do everything in our power to find insurance and recover money for you.

13. HOW MUCH MONEY WILL I GET?

We struggle with this question because it is so difficult to answer until the demand is out and we get an idea of what your injuries are and how much your bills can be reduced to. Please understand that if you are asking this question early on in the case, no scooter accident lawyer can ever answer this accurately. If they do, they are either misleading you or don't know what they are doing. Know that in almost every injury claim, the attorney fees come off the top, then there is usually some amount of money that is used for medical bills/liens, and then you get the rest. We never settle claims knowing that you will get nothing in your pocket unless we have had many serious discussions about the situation in advance. Not getting anything in your pocket is very rare. We understand that every client wants their medical bills paid and to get money for what they went through.

Personal Injury Attorneys McQuaid & Douglas

St Petersburg Office • 5858 Central Ave Suite A St. Petersburg, FL 33707 • (727) 381-2300

Riverview Office • 12953 U.S. 301 Suite 102a Riverview, FL 33578 • (813) 639-8111

www.727injury.com