

Inevitably a person hurt in a car accident will visit your office for help; chiropractors have become some of the most sought-after providers to care for such injuries. However, there are many issues specific to treating people hurt in car accidents. A few common queries we encounter from chiros every day:

My patient was hurt in a car accident but they were at fault, can we bill their own Med Pay? Yes, in Colorado, people can pay for chiropractic treatment through Med Pay even if they were at-fault in the accident. Your patient must have previously elected to include Med Pay within his/her auto insurance policy. If Med Pay is selected in the policy, insurance benefits become available to the patient regardless of who is at fault for the crash per Colorado Division of Insurance Regulation Section 5-2-12, specifically 5 (B.)(2.)(a). Be careful to read your policy as some contracts exclude Med Pay coverage if your patient was hurt while riding a motorcycle.

If we bill our patient's Med Pay, will their monthly insurance premiums go up? Yes, but only if your patient caused the car wreck. When your patient takes advantage of their Med Pay, their insurer cannot increase the patient's rates if the patient was not at fault in the car wreck.

Does every patient in a car crash have Med Pay? No, Med Pay is *optional* insurance coverage. If your patient elected to pay an additional premium for this coverage, your patient has a minimum of \$5,000 in Med Pay benefits. And your patient has this coverage, unless his/her insurance company can actually produce your patient's **signature rejecting** Med Pay. The rejection of coverage can be conveyed electronically if insurance was purchased online.

Does my patient have to pay back the monies Med Pay sent to your office? No, your patient's insurance company that provided the Med Pay coverage will never seek reimbursement. Your patient never has to pay back any Med Pay benefits as this was *optional* insurance coverage.

What should I do if my patient has Med Pay coverage but the Med Pay adjuster unreasonably denies my chiropractic bill? You must write a rebuttal letter supporting your care, detailing the **objective physical impairments**, and noting the reasons why your treatment and bills are **necessary, reasonable and related to the wreck**. An insurer is liable for extra contractual damages if they unreasonably delayed or denied owed insurance benefits to your patient.

At THE LAW OFFICES OF PETER M. ANDERSON, we handle Med Pay and other similar types of Personal Injury type questions every week from chiropractors. Our firm helps people who've been hurt in car accidents. We have been actively engaged in this area of trial law for more than 15 years, working tirelessly on behalf of chiropractic patients. Recent trials: \$855K jury verdict during a 12-day trial; \$980K verdict on a \$30K offer; \$1.4M verdict on an offer of \$175K and many more. In fact, The Law Offices of Peter M. Anderson has received monies in 14 straight District Court jury trials, presenting a treating chiropractor in every single case. For more information or to ask additional questions about the legal/medical process, please visit www.ColoradoCarAccidents.com or call 303-444-1505. Our team of lawyers and paralegals may be able to assist you.