

# BODILY INJURY INVESTIGATIONS



## Beacuse Every Investigation Matters

WE SEE IT TIME AND TIME AGAIN, THE STACKS OF PAPERS THAT PILE UP ON ADJUSTERS' DESKS IN THE FORM OF BODILY INJURY (BI) DEMANDS FROM ATTORNEYS FOR INJURIES BEING CLAIMED AS THE RESULT OF AN ACCIDENT.

When considering BI claims investigations, it's important to focus on the fundamentals of claim handling. While there are many important aspects to a claims investigation, the two most critical are liability and damages, for without both the claim does not exist.

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### Investigations

The challenge to insurers is that both liability and damages should be investigated concurrently.

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Daniel Fleming (11-2021)

Alethinos  
Investigations   
TRUTH - COURAGE - FAITH

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# For Example

OFTEN, ONE OR BOTH ARE EITHER OVERLOOKED OR INCOMPLETE, HAVING AN ADVERSE IMPACT ON OUTCOMES. TO IMPROVE OVERALL BI CLAIMS OUTCOMES, IT IS CRITICAL THAT CLAIMS INVESTIGATIONS CONSISTENTLY FOCUS ON THE FUNDAMENTALS.

- Conduct recorded interviews, if they are represented, then a request for a statement should be made through legal counsel. The attorney needs to understand early on that you have an obligation to thoroughly investigate causation, duration and frequency of treatment.
- Review the mechanism for injury, as well as a thorough investigation of potential pre-existing conditions or intervening causes.
- Document retrieval, hospital checks and open public records searches provide a wealth of information.
- Canvass and scene investigations; neighbors, witnesses and, in particular, ex-spouses. Taking the time to seek out those who may be able to shed light on the existence of pre-existing conditions can prove invaluable in settlement negotiations, arbitration or litigation.

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*There is a high probability that bills contained in a BI demand are upcoded or unbundled.*

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## CLAIMS INVESTIGATIONS

When done properly, bodily injury claims investigations, evaluations and settlements take a significant amount of time, knowledge and expertise. When reviewing the medical records, it is important to look at a variety of critical information.

- Police report - was there mention of any injury at the scene? Was the injured party transported to a medical facility? Was there any mention of contributing factors against the claimant?
- Vehicle photographs (auto claims) - does the damage match? Are there paint transfers? What is the directional force of impact? Is the damage such that the injury being claimed may be related?
- Accident Scene - Are there any other potential tortfeasors? Also look for overgrown bushes, signal outages, missing or blocked signage, absentee third parties, etc.
- Emergency room records - What does the admission statement say? What type of pain was related to the treating physician? Was there a mention of symptoms other than what may be related to the accident?
- Treatment patterns - How soon did treatment start? Where there gaps in treatment?
- Provider type - Was the claimant seen by a chiropractor or medical doctor? If the latter, what was their specialty? What are their credentials? Is their license current? Are there any prior or pending disciplinary actions with their current state, or prior States?