

FREQUENTLY ASKED QUESTIONS

Thank you for choosing Dunn & Roy to assist you with your insurance claim. We strive to provide prompt and excellent service to all of our clients. This letter is intended to be a brief guide of how a claim for insurance proceeds is processed.

PERSONAL INJURY PROTECTION (PIP) CLAIM

After an accident, it is imperative that the client contact their insurance company immediately to open up a claim for Personal Injury Protection benefits. In order to open a claim, you will need to complete the Personal Injury Protection Benefit Form that is mailed to you by your insurance company. Once this is done, your insurance company will begin its investigation to obtain information so they can provide benefits due to you under your insurance policy. Once a PIP claim has been opened, you will be provided with a claim number. This is a very important number that you should carry with you whenever you seek medical treatment for injuries from your accident. You will give this number to any medical provider you treat with and that will allow the provider to bill the insurance company directly. All automobile insurance policies purchased within the state of Oregon must have a medical expense benefit that covers at least \$15,000 of medical expenses incurred within the first year of treatment after the accident. The most important thing for any victim of an automobile accident is that he or she receives the medical treatment they need to get better. As such, I urge you to make medical treatment a priority to help restore your health.

The second most important benefit you are entitled to under your insurance is the wage loss benefit. Under Oregon law, all automobile insurance policies purchased in the state of Oregon must provide a wage loss benefit in the amount of 70% of your gross wages earned up to a maximum of \$3,000.00 per month. In order to become entitled to this benefit, it is required that you are totally disabled from your employment for a period of 14 consecutive days. At that time, you become eligible for this benefit. PIP wage loss benefits are a constant source of frustration for victims of automobile accidents. In order to issue your wage loss benefit, an insurance company needs two important pieces of information. First, a physician must declare that you are disabled from employment. Second, your employer must confirm that you were employed at the time of the accident, your expected schedule of employment, and the amount of money you earned during your employment, and the dates you were unable to work.

In order to expedite payment of the PIP wage loss benefit, I strongly encourage my clients to get involved in their PIP wage loss benefit claim. I have provided a form within this packet that you should have your employer fill out as soon as possible. Once your employer completes this form, you can either take it to your doctor's office, or drop it off at my office and we will fax it over to your insurance company so they have the information they need to issue payment. The PIP carriers generally issue payment within 2 weeks after they receive verification from your employer. If you are not receiving your PIP wage loss benefit within this timeframe, you should verify with your doctor that they have sent your insurance carrier proof of your disability. If this has been done, then contact your attorney who will follow-up with your PIP carrier to ensure payment is processed.

PROPERTY DAMAGE

After an accident, the insurance companies involved will commence investigations to determine who was at fault for the accident. If it is determined the other person is at-fault, their insurance company is obligated to pay for any damage caused to your vehicle or other personal property. Before an insurance company will pay your property damage, they will require a damage estimate and will need to inspect your vehicle. I allow my clients to handle their property damage claims directly with the insurance company. In order to expedite your property damage claim, you will need to do the following:

1. Take your vehicle in for a property damage estimate as soon as possible. I encourage my clients to take their vehicle to a reputable collision center for a free property damage estimate. You will want to provide a copy of the property damage estimate to the insurance company and to your attorney.
2. Set up a time and place for the insurance adjuster to inspect your vehicle. If your vehicle is inoperable and at a tow yard, the insurance adjuster will need to know where it is located.
3. Once steps #1 and #2 are completed, the insurance adjuster will arrange to have your vehicle repaired at an auto repair shop. You can select the repair shop of your choice.

WHAT IF MY VEHICLE IS “TOTALLED”?

If the amount of damage to your vehicle exceeds the value of your vehicle, then your car is declared a total loss. Insurance adjusters generally refer to the vehicle as “totaled.” If your vehicle is declared totaled, the insurance company will owe you the fair market value of your vehicle prior to the accident. In this situation, it is important that you have an idea of what the fair market value of your vehicle was prior to the accident. There are a number of ways that you can do this. First, you can talk to a car dealership about your vehicle. You will need to provide the make, model, year, mileage, and condition of your vehicle to the auto dealership. Another way is to check sources such as the Kelly Blue Book value or Edmunds. These resources can be accessed on the Internet at kbb.com or Edmunds.com. Minimum property damage coverage in Oregon is \$20,000.00.

WHAT IF THE DEFENSE INSURANCE CARRIER DECLARES THAT I AM AT FAULT?

If the defense carrier declares you to be at-fault for the accident, they will not pay for your property damage. If this is the case, you can turn your property damage claim into your own insurance company if you have coverage. The process is the same as above, however, you will have a deductible amount that you must pay. Generally, it is \$500.

HOW MUCH IS MY PERSONAL INJURY CLAIM WORTH?

This is probably the most frequent question we are asked at Dunn & Roy during the initial interview. There are various factors that determine the value of your claim. An attorney or an insurance company is unable to evaluate your claim until all of these factors are taken into consideration. This usually occurs after you are done with your medical care. At that point in time, my staff will obtain all of the pertinent information pertaining to your claim, and your attorney will evaluate your claim.

WHAT'S HAPPENING ON MY CASE?

The personal injury claim process generally takes a number of months to conclude. During that timeframe, my firm will be monitoring your medical treatment progress. I will not start negotiating with the insurance company on your case until you are medically stationary or have stopped treatment. Therefore, it is important that you tell us when your doctor releases you from medical treatment. At that time, your attorney will contact your doctors and discuss any limitations that you may have and be in a position to begin the evaluation process.

MEDICAL BILLS

Medical providers sometimes fail to properly bill a client's PIP carrier. When this occurs, it is important that you take immediate action by forwarding the unpaid bill to the PIP carrier and a copy to your attorney. The PIP provider will pay the outstanding bill and prevent the medical carrier from potentially sending the bill to collections.

If the PIP policy is no longer bound to pay your medical expenses, you must bill your health insurance provider.

If you do not have health insurance or your health insurance provider does not cover the treatment(s) you seek, consult your treating doctor as to your options. Some providers will continue to treat you with the understanding that the outstanding medical expenses will be paid when your case settles.

I hope this helps you understand the claims process better. Please refer to this letter when you have questions about your claim. If they are not answered in this letter, you are always welcome to contact my office.

Sincerely,

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ACD:jm
Team/acd/Misc/Frequently Asked Questions