



Dear Prospective Client:

Because I want to help you protect your legal rights, I have prepared this bonus report as a special gift for you. Regardless if you decide to choose my law firm to represent you or not, I want you to be prepared and to know the following:

TEN PREVENTABLE MISTAKES IOWANS MAKE WHEN DEALING WITH DOCTORS AFTER BEING INJURED

1. Failing to Seek Immediate Medical Attention After a Traumatic Event

The victim is always responsible for proving that he or she was injured in a particular incident. Insurance companies and juries often believe that if you are not hurt badly enough to seek immediate medical attention, then you are not hurt badly enough to deserve compensation. Do not ignore signs of pain, even small ones. See a doctor as soon as possible, as minor injuries can always get worse. You do not want the first words that the insurance company attorney says to the jury to be, "He did not even see a doctor for two weeks after the accident."

2. Failing to Fully Disclose Your Health History to Your Doctor

A health care provider will usually ask if you had any injury or sickness before your current problem. It is important to be honest when answering these types of questions. Doctors use your past medical history to diagnose and treat you. Providing incomplete information can impact the quality of the medical care you receive. Concealing prior injury or sickness from your doctor will also hurt your legal case. Remember, all of your prior medical records will eventually be available to the insurance company and their lawyer. If you provide your doctors with incomplete information, their medical opinions could be rejected by the insurance company and jury because they did not know about your prior problems. The same advice goes for describing the accident. Do not tell your doctor the car was "totaled" if it was only slightly damaged. The insurance company's attorney will attack your credibility with anything they can.

3. Talking With Your Doctor About Lawsuits or Legal Advice

A doctor's job is to focus on your medical condition. In order to do that job, a doctor does not have to know about your lawsuit or your attorney. Sharing your legal issues or concerns with a medical care provider is not necessary and should be avoided. Most doctors do not want to be involved in your legal matter anyway. If you tell a doctor he or she is treating an injury that is the subject of a lawsuit, it could impact the willingness to provide treatment or reach important conclusions. However, you must tell the doctor how you were injured, for example I was injured in a car accident on January 5, 2009, I was hurt at work on January 15, 2009, etc. Also, if the doctor asks you if you have an attorney you must be honest with him/her. Remember that whatever you say in confidence to your doctor or other medical providers is not confidential when you bring a claim for personal injuries.

4. Missing or Showing up Late for Medical Appointments and Therapy

As mentioned, the insurance company, their attorneys and perhaps even a jury will get to see your medical records. When you skip a medical appointment, your record just says "DNS" meaning did not show or "No show". Excuses – no matter how valid – usually do not make it into the record. More than one or two "DNS" or "No show" entries could make it look like you were not committed to getting better. Skipping medical appointments or showing up late can also irritate your doctor. Irritated doctors do not make good witnesses for their patients. If you need to cancel, call well in advance and reschedule. You do not want the insurance company's lawyer saying, "It must not have hurt that much, he did not even show up for his appointments."

5. Failing to get Your Pain Accurately Documented in Medical Records

Insurance companies and juries will not believe that you are in pain just because you say so. They need to read about your pain in your medical records. When insurance companies and juries review your records, they will be looking to see how soon you reported pain after an injury, how long you continued to report the pain and how severe it was. One effective way to help make sure your specific pain and limitations do make their way into a busy doctor's chart is to write it out beforehand and give it to him at your office visit. Again, do not exaggerate your pain. Doctors are extensively trained in looking for things that are not consistent and if you say your pain is horrible, but you are sitting comfortably on the examination table then there is likely to be a negative office note written in your medical records.

Pain scale- During your course of treatment it is likely that a doctor or physical therapist will ask you to rate your pain on a scale of "1" to "10" with "10" being highest. A "10" would be your worst imaginable pain, (e.g. pain in which you are constantly screaming, being tortured, being operated upon

without anesthesia, etc.) Very few people have suffered pain more than a “7” or “8” during their lifetime. Please keep this in mind when answering questions about your pain level.

6. Failing to Inform Your Doctor if Your Injury is Affecting Your Ability to Work

Insurance companies and juries will not believe that your injury affects your ability to work just because you say so. If your injury is affecting your ability to work, it is important to tell this to your health care provider. Work problems caused by an injury may be treatable and they should be noted in your medical records. Again, bringing notes with you to use to make sure you tell the doctor everything you need to can be helpful.

7. Failing to Take Medications as Prescribed

There is a reason why doctors prescribe a particular type of medication for a particular time period. You should follow your doctor’s recommendation until your doctor tells you something different. If you think a medication is making your muscles ache or your stomach hurt, say so; side effects are common, and your doctor can usually switch you to another drug. Do not put yourself in the position where you have to admit that you chose not to follow your doctor’s advice. This can be devastating to your claim.

8. Stopping Medical Treatment Too Soon

Insurance companies and juries often believe if a person stops seeking medical treatment for an injury, the injury must be healed. They also believe that significant gaps between treatments suggest that you healed from one injury and must have suffered a new one unrelated to the first. If you have an injury that is affecting your ability to function, you should seek medical treatment until you are healed or until a doctor tells you that there is nothing more that can be done to improve your condition. If you are still suffering and your doctor tells you to “come back as needed” or “call me if you have any questions,” you should ask how long you should wait to call if you continue to have pain and disability.

9. Failing to Follow Treatment Recommendations Related to Depression or Anxiety

Often pain and/or disability can trigger depression and anxiety. Psychological conditions like depression and anxiety are just as real as broken bones. They cannot be overcome without appropriate treatment. A person who causes another person physical injury is also responsible for resulting psychological conditions. Insurance companies and juries usually only compensate victims

of injury-related depression and anxiety if those conditions are properly diagnosed and treated by medical professionals.

10. Failing to Keep a File

It is important that your attorney knows every medical care provider that you see after an injury. It is also important that you keep track of all doctor orders, treatment referrals and/or work excuses and restrictions. Keeping a file of all materials provided to you by health care providers and insurance companies will ensure that you can provide all necessary information to your attorney at the appropriate time.

Again, thank you for contacting my office. If you need further assistance please feel free to contact me.

Sincerely yours,

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Practicing Primarily in Personal Injury (Car, Motorcycle and Truck Accidents, Dog Bites, etc.) and Workers' Compensation (Work Injuries)

Committed to Leveling the Field Between Injured Iowans and Insurance CompaniesTM by Fighting for Justice and RespectTM

(WARNING: THESE ARE GENERAL STATEMENTS AND NOT INTENDED AS LEGAL ADVICE. EVERY CASE IS DIFFERENT AND THERE ARE EXCEPTIONS TO THE ABOVE. THEREFORE, YOU SHOULD CONSULT AN ATTORNEY CONCERNING YOUR CASE AND HOW TO BEST HANDLE IT.)