

Insurance company foot-dragging is all too common, and having to fight for insurance money after suffering the challenging life event adds insult to injury. A recent Pennsylvania decision and proposed state legislation have put insurance company tactics in the spotlight.

In *Berg v. Nationwide Mutual Insurance Company*, the Superior Court of Pennsylvania broadly interpreted what establishes insurance “bad faith.” In that case, even though the plaintiffs eventually got the money owed them, the insurance company paid nearly a million dollars to their lawyers — in a purposeful attempt to deter the plaintiffs and other claimants from filing small value claims. Bad faith was identified through the legal strategy that was utilized.

Some tips to help the claims process:

- **File your claim quickly.** Often as a requirement of your policy, but also to get the adjustor to act quickly.
- **Do not sign a release.** The insurer will often try to have you sign a Release for a nominal payment. This will forever preclude you from further compensation.
- **Do not give a medical authorization.** The insurer can obtain your records, even beyond the accident. This may enable them to blame your injury on something else and reduce your claim.
- **Get a lawyer.** Lawyers usually get you more money because they know the rules of the insurance game.
- **Don’t believe everything you hear.** For example, that you aren’t entitled to reimbursement for certain types of medical bills.
- **Do not rely on the insurer to volunteer information.** Review your policy carefully for all available reimbursements — like prescriptions — ideally with an attorney who may better understand the import of some legal terms.
- **Realize you are facing trained negotiators.** You may hear variations of “that’s my best offer” and “after the attorney takes his fee, you’ll get less.”
- **Persistence pays.** You may go through multiple levels of insurance appeals before you get a favorable outcome.
- **Words matter.** Certain words may allow the insurer to deem your treatment cosmetic, not medically required — for example, facial surgery to enable “aiding self-image” not to “facilitate chewing.”
- **Have your doctor try again.** Often, a legitimate change in what the doctor submits will change the result. For example, a multi-purpose drug may be covered for one treatment, but not for another.

Never attempt to handle an insurance claim on your own. The highest insurance payments are consistently

made to those who retain the services of an aggressive personal injury firm. Call the office of Rosenn Jenkins and Greenwald LLP today.