

Why Was My Car Crash Claim Denied?

Florida is unique in car insurance terms because it's a no-fault insurance state. That means your own insurance company pays for injuries if you're involved in an accident, even if the other driver was at fault. However, if your damages exceed your personal injury protection (PIP) limits, you can file a claim against the other driver's insurance for the difference.

Every claim payment is essentially money lost for auto insurance companies. That's why insurance companies in every state, including Florida, are always on the lookout for ways to deny claims.

DENIED

You Were at Fault

You Didn't See a Doctor

There's a Dispute over the Source of Your Injuries

Policy Limits

Delays in Filing a Claim

Bad Faith Denials

Maybe the easiest and most common way insurance companies deny insurance claims is simply arguing that you were at fault. The person who is at fault for the accident is technically liable for damages beyond each driver's own PIP policy limits. Insurance companies will frequently either say you were at fault, not their client, or argue that you both share blame. If you were 50 percent at fault, then they should only have to pay half of your damages.



Being examined by a reputable physician after an accident is important because they can provide proof and documentation of your auto accident injuries. If you file a claim months after an accident saying you had \$20,000 of medical costs, but you don't have diagnostic tests to prove those accident injuries were real and that you received treatment for them, your claim might be denied.

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Preexisting conditions can make personal injury claims complicated. Insurance companies don't want to pay for injuries that aren't covered, or those their policy holder didn't cause. If you had a pre-existing repetitive stress injury from work and then you get into a car crash, you can't then get the treatment for the repetitive stress injury paid for on the car crash claim.

Insurance companies don't often give people the benefit of the doubt. They will investigate injury claims to see if the injuries you allege to have from an auto accident were actually from something else.

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In most cases insurance companies will only pay up to the policy limit on any driver's personal injury or liability policy. In Florida, no one is required to have personal injury liability coverage, just property damage liability coverage, and even that's only \$10,000.

Minimum personal injury protection (PIP) coverage only pays for your own injuries. You can collect damages beyond your PIP limit if you have uninsured/underinsured motorist coverage. If the other driver has bodily injury liability coverage you can file a claim against it, but even then, the amount you can collect will likely be dictated by the policy limit.

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The longer you wait to file a claim the harder it will be to get it approved. This is similar to disputes over the source of injuries or seeing a doctor – if you were injured and needed money to cover your costs, why are you filing months or even years later? (The statute of limitations on personal injury cases is four years in Florida.)

Delays call into question the validity of your claim and the source of your injuries. If you're injured in a car crash, you should immediately see a doctor and consider speaking with a car crash lawyer as soon as possible.

Delays in Filing a Claim

Not every claim denial rises to the level of bad faith, but in some cases it might. Insurance companies have a legal duty to honor their contracts, which includes paying legitimate claims. It's possible for claims adjusters and insurance companies to make mistakes, but if they knowingly attempt to get out of paying for your injuries by unfairly denying your claim, they may be acting in bad faith. If you believe your claim is being improperly denied, it may be in your best interest to speak with a personal injury attorney.

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