



Stuart A. Carpey, Esquire

# THE CARPEY CHRONICLE

THE INFORMATION RESOURCE FOR ACCIDENT VICTIMS IN PENNSYLVANIA

MAY, 2024  
VOLUME 17, ISSUE 5

CALL US TODAY  
610.834.6030



## “Why Do I Have To Pay My Doctors Back At The End Of My Case?”

Recently, a client asked us this question when she was informed that several of her doctors had outstanding medical bills related to her treatment for her case and that they were entitled to repayment. As an injured person with an ongoing personal injury case it is important to understand who is entitled to reimbursement from the successful resolution of your case.

In a typical motor vehicle accident case, your own insurance company pays your medical bills up to the amount you purchased (the minimum requirement on a car insurance policy in PA is \$5,000). You do not have to pay this back since you pay for this coverage every month when you get your bill for your car insurance. Once that money has been paid out, or “exhausted”, your doctors will begin billing your health insurance. If you do not have health insurance, the doctor may maintain a lien against your case.

In a fall down accident, your health insurance coverage pays your medical bills. If you do not have health insurance, your doctors may maintain a lien against your case for your treatment. Clients frequently assume that the other person’s insurance company is responsible for paying all of their medical bills but that is not correct under the law in Pennsylvania. Rather, the other person’s insurance company is responsible for paying for your pain and suffering. That’s typically the larger portion of the case, and that comes in the form of settlement or award at the end of your case.

After the successful resolution of your case, the first entity that gets reimbursed is the entity that is owed a lien, including:

- Medicare
- Department of Public Welfare
- your health insurance
- worker’s compensation.

Any of those entities may have a lien against your personal injury settlement, and those entities have to take a piece out of the personal injury proceeds **before anyone else gets reimbursed**. This is a matter of Pennsylvania law. Of course, your attorney’s fee gets paid as well as any expenses your attorney pays in order to prosecute the case: for instance, expenses to file suit, expenses to get deposition transcripts, and expenses to get medical records. All of this is itemized for the client and is taken out of the proceeds from the settlement or the jury verdict.

Doctors who have liens against your case will also seek reimbursement, at a reduced rate (only if you were in a car accident) as per the Pennsylvania Motor Vehicle Financial Responsibility Law. After all, they did perform services for you that helped prove your injuries in your case and they are, therefore, entitled to reimbursement.

Only after those items are paid does the client receive the proceeds of the personal injury settlement or jury verdict.

## WE ARE COMMITTED

To providing exceptional legal services to each and every one of our clients.

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Plymouth Meeting, PA 19462  
610.834.6030

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Philadelphia, PA 19102  
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## OUR 4 SATELLITE OFFICES

- **BALA CYNWYD**  
Two Bala Plaza  
Suite 300  
Bala Cynwyd, PA 19004
- **MALVERN**  
101 Lindenwood Drive,  
Suite 225  
Malvern, PA 19355
- **RADNOR**  
Radnor Financial Center  
150 N. Radnor Chester Rd.,  
Suite F 200  
Radnor, PA 19087
- **PHILADELPHIA**  
1500 Walnut Street  
Suite 500A  
Philadelphia, PA 19102

# Secrets to Defeating the Insurance Company in Your Personal Injury Case

You may have heard that it is easy to settle a personal injury case “for a lot of money.” The reality is that insurance companies scrutinize everything about you and your case, including:

- **Liability (how the accident happened)**
- **Injuries**
- **Wage Loss**
- **Prior Accidents**
- **Prior Injuries**
- **Prior Medical Conditions**
- **Prior Insurance Claims**

At Carpey Law, we know what insurance companies look for and we present your case in a way most beneficial in maximizing your settlement. We prepare for trial from day one. Here are the best practices to follow and for you to be aware of:

■ **Understand the Evidence Needed to Prove and Win Your Case**

Photographs, property damage estimates, police reports and witness statements are the kinds of tools needed to prove how the accident happened. The medical records prove your injuries as does proof of wage loss.

■ **Recognize that Your Case Will Take Time to Resolve Successfully**

In Pennsylvania, you have two years from the date of the accident to file a lawsuit. Some cases settle before then. Some cases have to be put in

suit. If that happens, your case is “docketed” in the court system, and will come up for trial depending on the court’s docket (or calendar). That means it could be anywhere from 1-3 years from the time suit is filed (not from the date of the accident) until your case goes to trial.

■ **Be Diligent in Your Medical Care**

Waiting too long to seek medical treatment, stopping your medical care before you’ve been discharged by your doctor, and not following your doctor’s instructions are all reasons that insurance companies will use to limit the amount they pay you in compensation for your injuries.



## Victory OF THE MONTH

We were able to obtain a substantial settlement for our client involved in a car accident in Philadelphia, where he was partially at fault, as was the other driver. Our client sustained serious injuries to his back requiring months of medical care. What was unusual about the case was the fact that the other insurance company agreed to settle the case, since our client admitted some responsibility for the collision. Usually, insurance companies will refuse to pay anything in that circumstance. Even with admitted fault on our client’s part, we were able to successfully negotiate a policy limits settlement for our client due to the nature of his injuries.



### SPRING HOLIDAYS

**Cinco de Mayo:**  
Sunday, May 5

**Mother’s Day:**  
Sunday, May 12

**Memorial Day:**  
Monday, May 27

## Reminder About Our Firm's Communication Policy

About us: We perform very high quality legal work. We are highly competent and we have a highly competent support staff, but we are not perfect. We can make mistakes. We will correct a mistake if we find it or if you point it out.

It is our policy to return phone calls in the order they are received and based on the priority of the situation. If you leave a message, your call will be returned usually within 24 hours. Some clients feel that calling multiple times in a day will get their call answered faster, but that is not the case. Email is the quickest way to get a response from anyone in the office.

We work by appointment only. Without an appointment, it is unlikely Mr. Carpey would be able to meet with you.

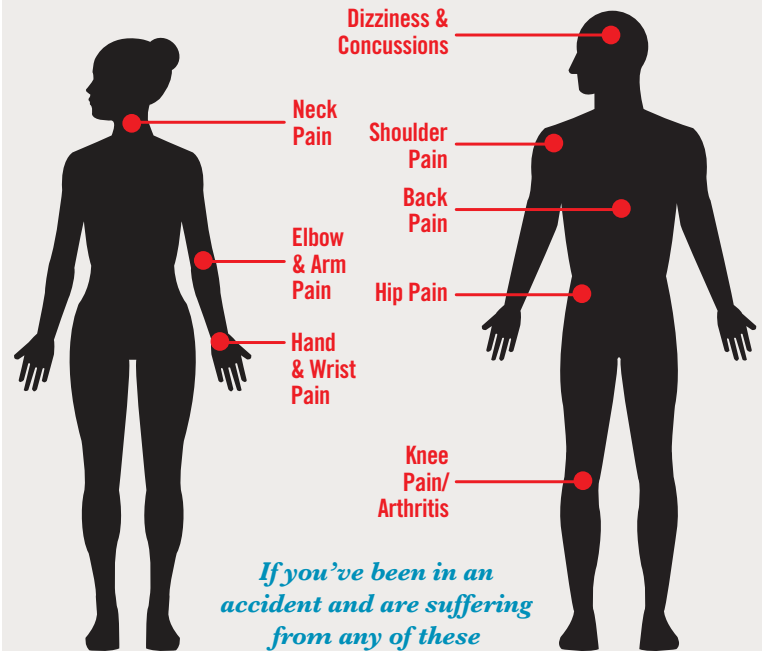
Please utilize our support staff to answer your questions and to give you status reports. Our legal assistants and paralegals are very experienced and will often be able to respond to your requests.



# CARPEY LAW PROUDLY SUPPORTS BIKERS EVERYWHERE

Look  
and save a Life

## Common Conditions After An Accident



*If you've been in an accident and are suffering from any of these conditions, give us a call. We can help. 610.834-6030.*

### LAURA CARPEY'S RECIPE OF THE MONTH

# Weeknight Bolognese

*"You can never go wrong with an Ina Garten recipe... she is one of the very best!"*

#### INGREDIENTS

- 2 T good olive oil, plus extra to cook pasta
- 1 lb. lean ground sirloin
- 4 tsp minced garlic (4 cloves)
- 1 T dried oregano
- 1/4 tsp crushed red pepper flakes
- 1 1/4 C dry red wine, divided
- 1 (28-ounce) can crushed tomatoes, preferably San Marzano
- 2 T tomato paste
- Kosher salt and freshly ground black pepper
- 3/4 lb. dried pasta, such as orecchiette or small shells
- 1/4 tsp ground nutmeg
- 1/4 C chopped fresh basil leaves, lightly packed
- 1/4 C heavy cream
- 1/2 C freshly grated Parmesan cheese, plus extra for serving

#### DIRECTIONS

1. Heat 2 tablespoons of olive oil in a large (12-inch) skillet over medium-high heat. Add the ground sirloin and cook, crumbling the meat with a wooden spoon, for 5 to 7 minutes, until the meat has lost its pink color and has

started to brown. Stir in the garlic, oregano, and red pepper flakes and cook for 1 more minute. Pour 1 cup of the wine into the skillet and stir to scrape up any browned bits. Add the tomatoes, tomato paste, 1 tablespoon salt, and 1 1/2 teaspoons pepper, stirring until combined. Bring to a boil, lower the heat, and simmer for 10 minutes.

2. Meanwhile, bring a large pot of water to a boil, add a tablespoon of salt, a splash of oil, and the pasta, and cook according to the directions on the box.

3. While the pasta cooks, finish the sauce. Add the nutmeg, basil, cream, and the remaining 1/4 cup wine to the sauce and simmer for 8 to 10 minutes, stirring occasionally until thickened. When the pasta is cooked, drain and pour into a large serving bowl. Add the sauce and 1/2 cup Parmesan and toss well. Serve hot with Parmesan on the side.





# CARPEY LAW

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*Dinnertime at the Carpey household  
with Gigi and Maverick*

Call me with any legal  
questions about  
injuries from any  
accident or medical care.

I promise to give you a  
straight forward answer.

That's my  
guarantee.

**610.834.6030**

## THE COLD HARD TRUTH

It comes with the territory. Sometimes I have to tell people what they **NEED** to hear. Not what they **WANT** to hear. There are times when you have to 'lay it out straight' and explain the good and the bad about a client's case. There are always 'holes' in a case. Even the best personal injury cases have challenges that must be overcome.

The truth is it's tough to tell another person something that you know isn't going to be well received. It would be much easier to try and avoid these difficult conversations. But, a good lawyer can't be shy about 'telling it like it is'. That's just the way it has to be. If you're really looking out for your client's best interests that is.

*Stuart A. Carpey*

Give this newsletter to a friend.  
They'll thank you for it,  
and so will I.

*Stuart Carpey*