

WHO WILL PAY YOUR MEDICAL BILLS?

In the short run, you normally will be looking to your own health insurance provider for payment of your medical bills. In certain circumstances, however, your own insurance policy or the other driver's insurance coverage may have medical payment, or "med pay" coverage available to help with your bills. MedPay coverage typically pays the cost of necessary medical care you receive as a result of a motorcycle accident and can be used regardless of who is at fault. Often, it is limited to medical treatment received within the first three years after an accident, and is subject to a dollar cap. Also, in some jurisdictions, MedPay applies only after other medical benefits are exhausted.

Unless your injuries are minor, however, MedPay coverage, if it is available, probably will not be sufficient to cover all the costs of your medical treatment.

In the longer term, if your negligence claim against the party at fault is successful, the costs of your medical treatment, including necessary future medical care, may be recoverable. The process takes time, however, which is why your health insurance—when available—is essential in the short term to assure that the treatment you need is delivered in a timely fashion without legal complications.

WHAT IF YOU DON'T HAVE HEALTH INSURANCE?

Obviously, this is a bad situation with no simple solutions. Frequently, however, hospitals and doctors may be willing to treat you without insurance, provided that you agree to sign an "assignment of claims" document that gives them a contractual "lien" (a legally enforceable right to collect first) on any settlement funds or jury awards that may result from your claims against the driver(s) at fault. At the same time however, you will likely still be liable to those providers to some degree for payment if they don't end up receiving any such funds. I say "some degree" here because if you end up hiring an attorney, an experienced lawyer can often negotiate on your behalf with your medical providers to reduce the fees due and owing in order to work out an appropriate settlement of your claim. (Tip: Those providers know that without the lawyer's skill and hard work, they might not get paid at all, which is why they will often negotiate.)