

Know Your Legal Rights

*“Know Your Legal Rights”
is a free legal education series
by [Dixon Law Office](#).*

*To request more information,
call 888-354-9880 or email
contact@dixonlawoffice.com.*

Preparing For Your Mandatory Medical Exam

One of the ways insurance companies try to limit or eliminate a victim's right of recovery is through a medical examination. Insurance companies use medical exams only in cases in which they do not like the opinions of the victim's treating doctors. While these examinations are sometimes called “independent,” they are not. The insurance company picks the doctor and the records he reviews (if any). The doctor is paid – sometimes more than \$10,000 – by the insurance company to conduct an exam and prepare a report. Does that sound independent? No! In fact, at Dixon Law Office we call these **DEFENSE MEDICAL EXAMS** (DME's) because that is what they are.

If you have been notified of an examination, there are several things you must know.



1. Be Honest

The most important rule is to be honest. While the doctor you will meet is a hired gun for the defense and always has an agenda, you should not be that way. You should be honest about what hurts. If you are able to stand, then you should stand. If you are unable to lift your arm, make sure the doctor knows this. If you cannot remember dates, do not guess. Any guess that is wrong will be called a lie.

2. Know the Doctor is NOT Fair

No matter how nice the doctor may seem, he is there for one purpose only: to tell the insurance company that you are not hurt. In nearly every defendant's medical examination, the doctor concludes the victim is malingering, exaggerating, is not hurt as badly as claimed, or that his injuries are not related to the accident. Do not expect the doctor to be fair. Your interactions with this doctor should be polite but guarded. He is not your friend.

3. Be Prepared

Before you go to the DME, you should review the facts of the case. How were you hurt? Where? What was the major medical treatment you have had? What are your current limitations? At **Dixon Law Office**, we may meet with you to review other critical information before the exam.

4. Know the Limits

In most cases, a DME doctor is limited to only certain things. You should speak with your lawyer and learn the specific limits in your case. In most cases, a doctor cannot do anything other than examine you and ask questions about your injuries. He usually cannot ask you any questions about the accident. If the doctor asks you to do something you are not comfortable with, tell him. Ask for permission to call your lawyer. You should never do more than you are able or do anything that hurts. You could get a more serious injury.

5. Courts Require That You Be Paid

Most court rules require that the insurance company for the at-fault person pay the victim for his time in the exam transportation to and from the exam, and parking expense. While the compensation will be very small, you are entitled to it and should request it.

6. Be On Time

The location, date and time of the examination is set by the insurance company for the at-fault person. Still, you should plan on being on time. Leave home early. While it is courteous, it will also allow you time to be calm and make a good presentation.

7. Plan on Waiting

Most doctors who do Defense Medical Exams perform dozens of DME in a single day.

While the entire exam often takes just FIVE MINUTES, you may wait hours for the DME to begin. If the DME is so late you can no longer wait, call **Dixon Law Office** before you leave.

8. Bring Nothing With You

Unless instructed by your lawyer, you should not bring anything with you to the Defense Medical Exam. That means bring no papers, no x-rays, and especially no cell phone. In nearly every case, the insurance company for the defense will have supplied the doctor with all the records they want him to see.

If you have been notified that you must endure a Defense Medical Examination, understand that you have not done anything wrong. A DME is simply the at-fault insurance company's way of getting testimony favorable to them. With help from these guidelines and an experienced injury attorney, you will be able to better navigate this difficult process.

"Know Your Legal Rights" Series

This educational series by Dixon Law Office provides clients and friends with information on a number of important legal topics.

The series includes:

- 4 Questions You Must Ask if You Fall
- 5 Action Steps After a Car Accident (C-R-A-S-H)
- 9 Things to Know Before Hiring a Personal Injury Attorney
- How to Get Your Medical Records
- Property Damage: 4 Simple Steps for Getting Top Dollar

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About Dixon Law Office

Dixon Law Office represents victims of personal injury accidents. Our attorneys have more than 20 years of experience helping victims after serious and catastrophic injuries, including car and motorcycle accidents, work injuries, and many others. Founded on Christian principles of honesty, fairness and justice, we can help you and your family get the compensation you deserve. Call us today at 888-354-9880 or visit www.AttorneysMakingItRight.com.

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