

Health insurance can play a critical role in getting the medical care you need following an accident. However, the interplay between your health insurance, the other party's liability, and your losses can raise several difficult questions. A knowledgeable [personal injury lawyer](#) can help you navigate the claim process so that you can get the compensation you need.

Understand Your Options

If you have been injured in an accident caused by someone else's negligence, you essentially have two sources of payment for your medical bills:

1. You can pay your own medical bills out of your own pocket or some other source of payment that you may have (such as your health insurance or MedPay coverage under your car insurance policy).
2. You can look to the other party to pay your medical bills, either out of their pocket or through their insurance coverage.

Most personal injury cases involve pursuing a claim against the at-fault party's insurance company. This is almost always the case in [car](#), [truck](#), and [other motor vehicle](#) accident cases. You should be aware, however, that the other party may not have insurance, which means that your health insurance may be your best option for the immediate future. As a general rule, the other party may be required to pay your medical bills if their negligence caused the accident. However, there are many reasons why you may not want to wait for them to pay your bills.

Your Health Insurance Will Provide Immediate Coverage

Your health insurance will typically pay your medical bills as they come due, with the exception of any copays or deductibles. This means that you are able to get the medical treatment you need when you need it. In addition, it also means that you do not have to deal with delinquent medical bills and the subsequent damage to your credit.

Pursuing a Personal Injury Claim Can Take Time

By contrast, the other party will pay your medical bills only after you have gone through the claim process. You will need to present a claim to their insurance company who will then decide whether or not to pay it. There may be some back-and-forth settlement negotiations. In many cases, the insurance company may decline to pay what you believe your claim is worth. As a result, you will need to file a lawsuit and proceed with litigation. This process can take anywhere from a few weeks to more than a year, depending on the complexity of the legal issues and whether there are fundamental facts in dispute. The end result is that you could be waiting a very long time for your medical bills to be paid.

Contributory Negligence Could Be an Issue

North Carolina is one of four states (plus the District of Columbia) that follow what is known as the pure contributory negligence rule. Under the pure contributory negligence rule, a party whose negligence contributed to the accident, even if only minimally, is barred from receiving any compensation.

The pure contributory negligence rule has been widely criticized for being unfair and unnecessarily harsh. It arguably makes insurance companies less willing to settle claims and forces more cases to go to trial. It also could be argued that accident victims do not get the compensation they deserve because their own negligence played a very small part in causing the accident.

You could be waiting for your medical bills to be paid for months, only to lose your case based on a finding that you were contributorily negligent. Using your own health insurance to cover your medical bills guards against an unfavorable outcome and saves you from financial devastation.

Uninsured (UM) and Underinsured Motorist (UIM) Claims

If you have been injured in a car accident, another reason why you should submit your medical bills to your health insurance is that the other driver may not have enough insurance or any insurance at all. Drivers who do not carry insurance typically do not have the financial resources to pay accident claims out of pocket.

North Carolina requires all drivers to purchase uninsured motorist coverage but underinsured motorist coverage is optional. Many drivers carry only the minimum coverage amount of \$30,000. If you have been severely injured in your accident, you can quickly exhaust coverage. Submitting your medical bills to your health insurance ensures that your expenses will be paid, and the health insurance company can seek reimbursement from your UM or UIM coverage.

Your Health Insurance Company Might Get Reimbursed from Your Personal Injury Claim

When you pursue a claim against the at-fault party, you will include your medical expenses resulting from the accident. If your claim is successful, your medical bills will be included in your compensation award. However, you do not get to keep any compensation paid to cover your medical expenses – your health insurance company might be entitled to reimbursement for any amounts they paid to cover your medical expenses, depending on the type of plan.

Exception: Workers' Compensation

The one instance where you should not submit your medical bills to your health insurance company is when you have been injured on the job and your claim will be covered by [workers' compensation](#). Workers' compensation is an employer-provided benefit that pays 100 percent of an injured worker's medical expenses. Because employers pay for workers' compensation coverage for the benefit of their employees, they have the right to direct treatment. As a result, they can require that you seek treatment from their approved physicians. If you see your own doctor and have your medical bills paid for by your insurance, you may not be able to get reimbursed. It may also cause complications with your workers' compensation claim.

Talk to a Personal Injury Lawyer at Martin & Jones Today

At Martin & Jones, our personal injury lawyers have decades of experience in helping accident victims rebuild their lives. Whether it is a [medical malpractice](#) case or a pedestrian accident, we can help. [Contact us](#) today at 800-662-1234 to schedule a free consultation to discuss your options.