

YOUR ADVERSE MEDICAL EXAMINATION

Preparing for your IME

WHAT IS IT FOR?

In a case such as yours, that involves a personal injury, the defendant and your own no-fault insurance company have a right to request that you be examined by a doctor of their choice in order to determine the validity of your claims. The insurance companies call these exams "Independent Medical Exams" or IME for short, but the truth is these are actually adverse examinations. It is important that you attend (it is the law if you are bringing a claim for injury) and that you be as cooperative as you can, but remember the doctor who examines you is not examining you to help your medical condition, but only for the purpose of testifying for the defendant at your trial, or in the case of your own no-fault carrier, to terminate your benefits. The doctor is paid by the insurance company. You should trust your own doctor regarding your ongoing need for care and treatment of your injuries.

WHAT WILL HAPPEN?

The doctor will want to know how you were hurt, your complete medical history, what treatment you have had, and how you feel now. You should be honest in your answers but be careful that you understand each question before you answer it. For example, if the doctor asks, "How do you feel now?", you should find out if he wants to know how you feel that minute or how you feel at this point after the accident. You may feel pretty good at that moment but had pain associated with your injury earlier in the day, so it is important to be specific.

Be sure to tell the doctor about all of your physical and mental problems related to the accident. If you fail to tell the doctor of any problems you now have or have experienced in the past, he will not include them in his report and this may adversely affect your case.

THE EXAMINATION WILL BEGIN AS SOON AS THE DOCTOR SEES YOU. He will watch your movements in taking off your coat, etc. In addition, the doctor may use a distraction method. He pretends to be interested in one part of your body, or pain in one part of your body, but is actually interested in another part of your body. Be sure to tell him when any procedure hurts. For example, if he bumps or flexes an injured part of your body.

BE CAREFUL IN TELLING ABOUT OTHER DOCTORS. If you are asked what other doctors have told you about your medical condition, you should answer in a very general way. For example, "He says that I will have trouble for the rest of my life", or he says "I am getting better, but it is going to take time".

BE CAREFUL IN TELLING HOW THE COLLISION HAPPENED. The doctor is entitled to know generally how you were hurt. If he asks you how the collision happened, tell him in simple, general terms. For example; "My car stopped, and I was hit from behind" or "I was moving straight ahead and was hit from the side" or "the car I was a passenger in went out of control and turned over". However, do not give details about distances, time, speed, or other such details relating to how the collision happened.

DO NOT volunteer any information not requested.

DO NOT discuss who was at fault in your case.

DO NOT submit to an x-ray, CT scan, EMG, MMPI, etc.

DO NOT discuss the settlement of your case. These things have nothing to do with the doctor's examination of your injuries.

WHAT SHOULD YOU DO?

You may take your spouse or someone with you to the exam but they will be asked to wait in the waiting room during the exam. In addition to the above instructions, immediately following the exam, after you have left the doctors office, we need you to fill out the attached Medical Examination Report. It is important to be exact and write everything down, word for word. In addition, if you have any questions or concerns prior to, or immediately following the exam, please do not hesitate to contact someone at our office.