

## **TIPSHEET: INDEPENDENT MEDICAL EXAM**

It is typical for insurance companies to request a plaintiff-victim be examined by a doctor chosen by the insurance company. This is part of the discovery process and is commonly called an “independent medical exam,” or an IME. Because the doctor is paid by the insurance company, the doctor’s opinion will likely be biased in favor of the insurance company.

The following tips will help assure that you are treated fairly by the IME doctor.

1. Your lawyer or someone from the law firm should accompany you and monitor the exam.
2. In some cases it is prudent to employ a registered nurse to take notes during the exam.
3. Approach the doctor and the exam with a courteous and pleasant attitude. Do not be hostile or unfriendly.
4. The doctor will ask you questions about the accident. Do not discuss specific details, rather speak in general terms. The doctor can call your lawyer to discuss details.
5. Wear a watch to the examination.
6. Record the time the doctor begins the examination and the time examination ends.
7. Tell the doctor if anything hurts, even if it is mild pain. If you do not tell the doctor, the record will reflect that you do not have pain, when, in fact, you may have pain.
8. Do not let the doctor push you farther than you feel comfortable. Again, if you endure discomfort in silence, the record will not be an accurate reflection of what you are experiencing.
9. Do not resist unnecessarily, either. If you do, the doctor will record evidence of resistance on the medical report.
10. Do not say something hurts if you do not feel pain. The doctor will know if you are being honest.
11. If you have recently had an x-ray, you are not required to have another x-ray. Feel free to tell the doctor you prefer not to have another x-ray.
12. Watch for tricks. For example, if you complain of back pain, but bend over to pick up an object the doctor “accidentally” dropped, the doctor will note this in the report.
13. Write a summary immediately following the exam.
14. Call your lawyer immediately after the exam.

