

# **Ambulance Chasing Alive and Well**

Op-ed for Austin Business Journal

Imagine being involved in an automobile accident and the next day someone calls asking if you're ready to sue the insurance company for no reason other than to make money off of your accident. Even worse would be having that individual approach you at the hospital or the funeral home. Is this a thing of the past? No. It's happening every day in every major city in Texas.

When you are involved in a traffic mishap and police write a report, that report becomes a public document. It includes your name, your address, your insurance company and any injuries that you may have received. Within 48 hours, your crash report may be purchased by telemarketers who line up at the Central Records divisions of police departments to buy crash reports in bulk. In late 2009, the Texas Transportation Commission voted to remove telephone numbers from crash reports at the urging of various groups including the Insurance Council of Texas, but despite that change, telemarketers turn to the Internet and locate the victim's phone numbers and other pertinent information. The crash victim is then called and told that a doctor's appointment has already been made for them. If they can't drive there, the victim will be offered a ride. Not injured, the victim will be coaxed to go to the medical appointment by being told their insurance claim will not be settled unless they show up.

Once at the doctor's or chiropractor's office, crash victims encounter attorneys or an attorney's representative who offers free legal advice. This advice typically is to file a lawsuit where the attorney takes at least a third of whatever the victim was entitled to. The free medical assistance is often a ploy for unscrupulous chiropractors or doctors to drain the victim's personal injury protection insurance coverage. Once it's gone, so is the free medical assistance.

A coalition of insurers and anti-fraud representatives work through the Texas Committee on Insurance Fraud to identify fraudulent activity that ultimately costs Texas citizens more money. Various insurance industry groups will try once again to end this shameful solicitation practice and invasion of privacy by pursuing legislation during the 2011 legislative session. Both the Texas Chiropractic Association and the Texas Trial Lawyers Association have joined with these efforts in the past by supporting legislative efforts to stop these unscrupulous telemarketers and we are hopeful that they will lend their support once again in 2011.

The overwhelming majority of attorney, chiropractors, and doctors obey the law and do not engage in these types of practices. But for those few who do, we need to make sure that this harassment and encouragement of trumped up claims and unnecessary lawsuits is stopped. Let's work to end fraud, waste, and abuse, and keep fraud from driving up insurance costs for Texas citizens.

**Mark Hanna**  
**Insurance Council of Texas**