

FEBRUARY 2020 SUBROGATION NEWSLETTER

When Is A Vehicle Considered Totaled?

When and whether a vehicle involved in a collision is considered “totaled” is an issue of great angst and confusion for most consumers. Even insurance professionals can get turned around navigating the maze of rules and regulations surrounding the act of “totaling” a vehicle under a policy. It needn’t be all that complicated. This article will help take the guesswork out of when a vehicle is to be deemed a “totaled” or a “total loss” and the resulting responsibilities and ramifications applicable to a salvage title vehicle. [Read More....](#)



Where's The Beef? Subrogating Livestock/Vehicle Collisions In Texas

There are 22 million vehicles registered in Texas and 13 million head of cattle. Cattle and cars intersect more often than insurers would like to think about. In fact, in the fall season of September, October, and November, animal collisions in Texas account for 24% of all car crashes. Damages from these collisions amount to over \$1.3 billion annually which means that subrogating these losses has become an important area of claim reimbursement for aggressive and prudent insurers. Subrogating Texas vehicle/livestock collisions, however, is more of a challenge than one might expect. In fact, in many cases, the ability to pursue the livestock owner depends on whether a county has adopted local stock laws. [Read more....](#)



Mutual Insurance Company Subrogation



A mutual insurance company is one which is owned entirely by its policyholders. Subrogating on behalf of a mutual insurance company often requires special handling and techniques considering the nature of the individuals and businesses they insure and the types of losses they frequently encounter. Effectively representing them begins with an understanding of what they are and who they insure. [Read More....](#)

Verdicts and Settlements

Matthew Spolsky, J.D. recently settled a workers’ comp lien claim on behalf of a healthcare service plan for \$869,674.10 - 100% of the bill review value. California workers’ comp lien claims are regulated by the Official Medical Fee Schedule (OMFS) which can drastically reduce a lien’s value. This lien claim involved “Y-codes” which are not reviewable billing codes under OMFS. After conducting research on Y-codes, Matthew was able to help the client find and retain a bill review expert who reviewed the Y-codes to determine their DRG/CPT code equivalents. These DRG/CPT codes could be priced per the OMFS regulations. After discussing this extensive bill review with the Claims Administrator, the lien claim was resolved for the bill review value. Matthew has had other notable lien settlements on behalf of healthcare service plans. One lien resolved during preliminary negotiations for \$120,000 of the \$124,767.67 workers’ comp lien value. The other resolved on the eve of the pending lien trial for \$52,354.24, which was 100% of the lien value. Pursuant to 8 C.C.R. § 10773, Matthew is able to handle these lien claims under the direct supervision of attorneys Douglas Lehrer and Katherine Sandoval. Should you have any Workers’ Comp Appeals Board lien claims you want to refer to MWL, feel free to contact either Douglas Lehrer at dlehrer@mw-law.com or Matthew Spolsky at mspolsky@mw-law.com.



Time Travel For The Insurance Industry

See [HERE](#) for a provocative 60-second video explaining why Matthiesen, Wickert & Lehrer views the handling of your subrogation claims - large and small - as time travel for the insurance industry. We help turn back the hands of time and attack the enemy of our industry - claims - utilizing our experience and expertise. Check it out!



Join MWL's LinkedIn Subrogation Support Network Group!

We welcome you to join our LinkedIn [Subrogation Support Network](#) Group! It is a community managed by Matthiesen, Wickert & Lehrer, S.C., that offers insurance professionals a place to interact, discuss subrogation insurance-related topics and issues, ask subrogation questions, and keep abreast of new developments and/or changes in the subrogation law for all 50 states. If you would like to join this LinkedIn group, please click [HERE](#).

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We are asking our clients and friends to help us expand our social media presence by following our firm’s [LinkedIn](#), [Facebook](#), [Twitter](#), and [YouTube](#) pages. The legal face of insurance litigation in our industry seems to change almost daily. Following our social media pages will assist you in keeping up-to-date and informed on developments and changes in the law that effect the industry, which is key to obtaining the best results.

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