

# NEW MEXICO INJURY ATTORNEY BLOG

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## **Notification of Insurance Company on Personal Injury Claims**

The aftermath of dealing with a personal injury can be a confusing and difficult time. Medical bills are due, wages are lost, and one may even face the possibility of having to live with a life-long disability as a result. Insurance can provide some monetary compensation for expenses, lost earnings and diminished quality of life. Often times, where coverage is available, there will be immediate insurance benefits available. Thus, it is important to notify the appropriate insurance company to receive the compensation you are entitled to and avoid out-of-pocket costs as you recover.

Before contacting any insurance company, gather as much information as you can. They will want details concerning how, when, and where the accident occurred, as well as who was involved. You may also want to gather witness information, police reports, and any medical reports for treatment you received as a result of the accident.

You should also review your policy to determine if written notification is required. If you do not have access to the policy, or the policy belongs to another party, be sure to ask the claims personnel you are working with about the specific requirements of notification. Some insurance companies will accept telephone notifications.

Personal injury claims can be filed under a number of different insurance policies, depending on the type of claim being pursued. The most common insurance policies called upon in personal injury actions are auto insurance, homeowners, or business premises liability policies.

In case of an automobile accident, you should generally notify both the insurance company that insures the vehicle you were driving, as well as the insurance company of the other vehicle involved. In case of accidents such as slip and fall accidents that occur in a private home or business, the homeowner's or business insurance carrier should be notified. In cases involving a governmental entity, the notice requirements are very strict under the Tort Claims Act allowing only 90 days from the date of the accident to notify the appropriate authority of your claims. In each where you are dealing with an insurance company other than your own, you would be well advised to seek the assistance of an experience personal injury attorney. This is particularly important where the insurance company seeks an interview or statement from you.

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On rare occasions, claims may be made against an individual's personal umbrella policy. This would occur if the responsible party actually has such a policy, which is unusual in New Mexico, and is used when claims have exhausted the policy limits of all other insurance.

When a claim involves an uninsured party or even an unknown party, like a hit-and-run accident, it is very important to notify your own insurance company in a prompt manner. New Mexico Regulations require that an insured or other individual making an uninsured/underinsured motorist claim provide written proof of claim to their insurance company as soon as practicable. Your insurer will have forms for this purpose and must provide them to you within 15 days of notice of claim.

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