

The Trouble with Trial Lawyers, Part III

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Editor's note: This is Mr. Steel's final installment in this series: Part I appeared in the Feb. 12 issue; Part II in the April 9 issue.

What Is a Fair Way to Compromise My Lien? What Is a Fair way to Compromise My Doctor's Lien?

There is nothing in the lien contract that requires doctors to reduce their fee if there is a poor settlement. We suggest the following rules to make sure that your clinic is not being taken advantage of. If you sincerely believe your patient got a raw deal, then you may wish to consider a reasonable discounting of your fees. If so, these are the three following conditions:

1. Never make an agreement with an attorney about reducing your fees on the phone until you have proof from the attorney of the amount of the settlement. Demand a copy of the release agreement or the check.
2. Never make an agreement about how much to reduce your bill unless you are given a copy of the client settlement statement. All trial lawyers have to produce an income and expense accounting to their clients for their written approval. Every penny must be accounted for. That includes all payments to health care providers. If the lawyer wants to cut your fee, you should know what the other doctors are getting paid. If the lawyer says that this is a privileged document and he cannot give it to you, he is not telling the truth. If the lawyer refuses to give you a copy a client settlement statement, then his intent is probably to deceive you.
3. If your fee is being reduced, the lawyer's fee must be reduced by the same percentage. That would also pertain to any other health care provider or specialist, including ambulance/emergency services. Quickly, you will see that when everyone participates in a fee reduction you have less of your fee taken away.

We believe these are easy steps to follow. They have been proven to be effective solutions costing hardly any money and taking a minimal amount of time. Doctors that employ a few good habits in protecting their personal injury patients will be practicing much longer and much more enjoyably.

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