

## **AN EXPERIENCED HAND'S CARDINAL RULE FOR DEALING WITH INSURANCE COMPANIES**

### ***Be Nice – It Pays***

Whenever you try to convince someone to take your position, it never hurts to consider their environment and point of view. Whether you are trying to convince a judge to side with you or a potential vendor to accept your terms, putting yourself in their shoes to assess their needs can help you shape your approach and arguments.

That also holds true for dealing with your insurance companies – or rather, the people who work for them – when you have a claim. In that regard, remembering one key concept that I learned in nearly ten years of working for insurance companies will help you get what you are owed: be nice.

### ***Here's Why Manners Matter***

Real people work for insurance companies. When you have a claim, you work with a claim handler. Their choices can have a tremendous effect on whether, how much, and when you get paid. So, let's put ourselves in their shoes.

Most work in one of many small cubicles that fill a large room. At some companies, they might have dozens or even hundreds of open claim files for which they have primary responsibility. These files fill their cubicles and much more. Not often – but sometimes – they might inherit files from people who did not keep good records. And even accurate records might not be easy to search.

Beyond that, claims handlers are the front line for the insurance company when people make claims. While simultaneously trying to analyze coverage, settle cases, write letters to insureds, and draft reports for their supervisors, they may field dozens of calls a day. Some of those calls inevitably come from people who are also stressed and unhappy with the insurance company's position.

Within that environment, claim handlers must make many decisions every day. Like any business, if someone later decides they paid too much, it could threaten their job. But if their decision leads to a losing lawsuit, it could do the same. In short, their day-to-day work can be stressful.

Most people, whatever their job, gravitate toward taking on easier tasks first. So one key strategy is to make paying you the easiest, most pleasant task for your claim handler.

### ***Here's How To Put Yourself At The Top Of The List***

First, be polite. If the claim handler knows that they will have a calm discussion when they call you, you could be at the top of their list. Use an even, informative tone in your letters and e-mails. If you have been nice but direct with them, they may be more likely to advocate your side when the company decides whether to pay you.

Second, be helpful. Keep good records and share them when it makes sense. When you send a follow-up letter that mentions past letters, include copies of what you sent before. If the claim handler doesn't have to find and look through your file to help you, you might be higher on their list.

Third, help the claim handler avoid any second guessing by providing them with as many documents as possible that show (1) the amount you seek is valid; and (2) the absence of any coverage issues.

#### ***One Small Caveat***

Finally, remember one thing while being polite: some very pleasant claim handlers might nevertheless be under pressure to pay as little as possible. Don't let your guard down, no matter what kind of relationship you develop. Your claim handler might be jovial when trying to collect information from you yet harsh or tight when it comes time to pay. They may even repeat what you told them as a reason not to pay. If you are careful while you are nice, it can help avoid such surprises. But remember to be nice but direct no matter what.

*John J. Rasmussen founded the Insurance Recovery Law Group, PLC after nearly a decade of working for insurance companies. You can learn more about him and his practice at [www.insurance-recovery.com](http://www.insurance-recovery.com). You can contact him at [jjr@insurance-recovery.com](mailto:jjr@insurance-recovery.com).*

