

[If My Car Insurance Claim is Denied, What Should I Do](#)

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You have already suffered because of someone's negligence, and it doesn't seem fair to have to pay for an accident you didn't cause.

Even if the insurance company denies your claim, you may still be able to pursue a payout if you successfully appeal.

Listed below are some reasons why insurers deny claims, details about the appeals process, and your options for pursuing legal action.



What is the reason for insurance companies denying valid claims?

Insurance companies deny valid claims for a variety of reasons. Georgia's Office of Commissioner of Insurance and Safety Fire oversees insurance companies that operate or sell policies in the state. Every insurance company must notify the Commissioner within 15 days after receiving all forms and information whether it accepts or denies a claim.

The most common reasons why car accident claims are denied:

Failure to notify

You might be denied a claim if you wait too long to notify your insurer. Most insurance policies require claimants to notify the insurer within a specific timeframe, regardless of fault.

Drivers who are not permitted or covered

If the driver did not have permission to drive the car or is not covered by the policy, the insurance company may not approve your claim.

Liability disputes

When an injured person files a claim with the liable driver's insurance, the insurance may deny it if they determine the policyholder is not at fault or that you played a role in the accident.



Exclusion

An insurer will deny your claim if it falls outside covered injuries and damages, regardless of whether you file a claim with your insurer or with the other party.

Bad faith

Insurers who act in bad faith to policyholders and claimants face repercussions from state regulators.

Lack of documents

If you omitted medical documentation or didn't seek medical attention after the accident, most insurers would deny your claim or offer substantially less.

Lapsed policy

Insurance companies will not pay on a claim if the policy was not in effect at the time of the accident. Lapsed policies usually do not pay.

What should I do?

You have a few options if the insurance company denies your car accident claim.

If you disagree with the decision, you can appeal or file a complaint

In the event that you disagree with the insurance company's decision, you can appeal. If the insurer refuses to reconsider, you may also file a complaint with the Office of Commissioner of Insurance by clicking [here](#). To determine if the insurer's denial is valid or to help resolve your claim, the agency notified them.

Our experience shows that filing a complaint with the Office of Commissioner of Insurance does not help resolve the issue.

You can file a lawsuit

It is best to file a lawsuit if your claim was wrongfully denied by an insurance company. The insurance company is not named as a defendant in Georgia. You are sued by the at-fault driver's insurance company, but the insurance company pays any verdict you may obtain against him (up to the policy limits).

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As the uninsured motorist carrier, you must serve your own insurance company with the lawsuit when there is no liability coverage or not enough.

Both sides often negotiate a settlement after a lawsuit is filed. Filing a lawsuit does not automatically mean you will go to court.

Denied Claims Appeals Process

The insurance company must be consulted directly and you must submit documentation to substantiate your position if you are appealing their decision internally. Initially, read the insurer's explanation of why your claim was denied. Did they deny liability because of a lack of medical documentation? If so, your appeal should refute their claim. If your claim was denied because of a lack of documentation, submit the following evidence to support it:

- Liability evidence
- Police or crash report
- Photographs
- Statements of witnesses
- Medical records

In the event that the insurer rejects your appeal, offers a payout, or stands by their initial denial, your next step could be a lawsuit and potentially a courtroom appearance.

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