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## Will Medicaid Pay Your Accident Bills? **YES, But There's a Catch**



Medical providers and health insurance companies agree on a contracted rate for each medical service that is provided, and it is always at a discounted rate. So, it benefits the accident victim who receives the treatment to pay the lower amount after letting their health insurance company settle the bill with the providers.

West Virginia law allows for an additional reduction in what the health insurance can claim as part of a settlement, or through the subrogation process. In other words, the law requires the insurance company to help pay for the attorneys' costs in getting reimbursement for the accident through the auto insurance companies. This process requires a lot of calculations and math, but in the end, it only benefits the accident victim.

Between the reduction made by the health insurance contracted amount and the reduction of the lien amount after lawyers' fees are calculated, it is a HUGE ADVANTAGE for accident victims to use their health insurance when receiving treatment. Although you may get push back, do not allow the billing office of a doctor or healthcare facility, to insist on billing your auto insurance directly (or MedPay).

Above all, the most important aspect of this article, is to understand that Medicaid and Medicare can and should be used to help cover medical bills after an accident. If you hire a lawyer, make sure that they not only understand this, but that they help you through the billing and subrogation (lien) process and NOT leave it all up to the accident victim. Our law firm prides itself in helping our clients with any and all bills resulting from an accident that they did not cause. If another law firm does not offer those services, then move on to the next.

One of the first questions that many accident victims ask themselves, is how are all these medical bills going to get paid? Whether you have private health insurance or a state sponsored health plan like Medicaid or Medicare, you should always use your insurance to pay for your medical care, regardless of if it was caused by another person or not.

Why, you ask, should you use your health insurance when the accident and injuries were caused by another person? In the end, it is to the accident victims benefit to do so. Let us explain why.

When a private or public health plan pays for medical treatment due to an accident, they have the opportunity to place a lien on the settlement of that accident to cover those expenses. This is the catch. However, in the end the accident victim still benefits from this process because they only must reimburse what the health insurance company pays the medical provider, which is ALWAYS less than what the provider will bill a cash payer.



The Miley Legal Group would like to thank everyone that provided referrals to our office this past month:

**Andrea S.**  
**Sandy M.**  
**Stacie M.**  
**Andrea P.**  
**Jason F.**  
**Dale N.**  
**Gary T.**  
**Debbie B.**  
**Tracey A.**

## Tiger Health: 5 Simple Ways to Boost Immunity

(Family Features) Your body's immune system protects against illness and infection, fighting off threats before you even know there's a problem. Even though your immune system usually does its job automatically, you can give it a boost with habits that promote wellness and support immunity.

**Eat healthy fruits and vegetables.** Although you may not be aware they contain flavonoids, these phytochemicals found in some fruits and veggies are a vital part of maintaining health.

**Reduce stress with outdoor activity.** Keeping physically fit provides numerous health benefits such as reducing stress by being one with nature

through taking a walk outside.

**Keep a regular sleep schedule.** Sleep gives you an opportunity to recharge. This is when cellular regeneration and other healing is most efficient.

**Wash hands frequently.** Especially during the school year, when germs are rampant and easily carried from school to home.

**Rely on natural remedies.** One example is relaxing with a hot cup of tea. The natural and organic ingredients found in Buddha Teas provide numerous health benefits. Options like Mushroom Wellness, Divine Immunity, Elderberry Tea and Reiki Mushroom blends all contain



immunity-boosting ingredients.

Learn more about boosting your immunity naturally at [buddhateas.com](http://buddhateas.com).

With two offices to serve you:

229 W. Main Street, Suite 400, Clarksburg, WV 26301  
250 Scott Avenue, Suite 100, Morgantown, WV 26508

# Small Business September: Colasessano's

Colasessano's is a well-known, local Italian Restaurant in North Central West Virginia, established in 1950! They sell a variety of delicious dishes including calamari, cheese sticks, an assortment of salads and soups, Giovanni, Italian Deli, a plethora of sandwiches, spaghetti, stuffed shells, stuffed wax peppers, lasagna, and their world-famous pizza and pepperoni buns.

Colasessano's Pizza has two locations: 502 Pennsylvania Ave., Fairmont, WV & 141 Middletown Circle, Fairmont, WV. Customers can order online or call one of the restaurants. They are open Monday thru Saturday 11am - 8pm.

Unfortunately, the company's hours are reduced and neither restaurant is taking dine-in as they are short staffed. Safety measures are being taken to ensure you, the customer, are protected during the current Covid pandemic. These precautions include wiping down the counter, doors, and kitchen equipment as well as mask wearing and daily temperature checks for each employee.

Be sure to visit this small gem and support this beautiful local restaurant!

For more information on Colasessano's establishment, online ordering, pictures, hours, locations, and job applications visit <https://colasessanospizza.com/index.html>.



## Recent Wins!

★★★★★ "The Miley Legal Group was wonderful. They were honest, attentive and went the extra mile for me. Thank you Keith and Erica. I highly recommend this firm if you have been in a serious accident." -Jenny P.

★★★★★ "Doug Miley and Christina Reed are wonderful helpful people. They helped me with all of my legal needs. I couldn't ask for anyone better to assist me." -Johnathon L.

★★★★★ "I never thought I needed an attorney for anything in my life. I was wrong. Meeting Keith Gould has been a pleasure and a lasting friendship since. He was very professional and more importantly, very knowledgeable on my particular case. That's a plus in my book! I HIGHLY recommend The Miley Legal Group! Thank you again Keith for going above and beyond!" -Caron B.

## Pet Peeves: Cherish Your Senior Companion

My name is Midnight, and I am 12 years old! My people adopted me in Fall of 2009. They take me to play fetch, go on walks and go on truck rides. I also enjoy cuddling at their feet. They have become family, and I will stay loyal to them forever!

Several of us have senior companions like Midnight who have adored us since the day we picked them up from the pound, dog kennel, or adoption center. It would be a disservice, to us and them, if we neglect to cherish them during their final days. So you maybe wondering, in what ways can we cherish are precious pooch?

#1 Be sure to cuddle them often.

#2 Buy your pet a My Pillow or Memory Foam dog bed.

#3 Take easy, short walks and lightly play with your senior dog.

#4 Have them perform tricks to keep their mind active and reward your companion with healthy, delicious treats.

#5 Most of all, let your loyal friend know you love them and appreciate their lifelong commitment to you!



Love,  
Midnight



## Recipe of the Month: **Chocolate Peanut Butter Pie**

### Ingredients:

- 1 cup peanut butter
- 3/4 cup butter
- 3 cups confectioners' sugar
- 2 (8") prepared graham cracker crusts
- 2 cups of milk
- 1 (3.9 oz.) package instant chocolate pudding mix
- 1(8 oz.) container frozen whipped topping, thawed



### Directions:

1. In a medium, microwave-safe bowl, combine butter and peanut butter. Heat in the microwave until soft; mix well. Gradually stir in confectioners' sugar until the mixture resembles a soft dough. Spread mixture into 2 pie crusts.
2. In a small bowl, mix the milk with the instant pudding. Pour over the peanut butter mixture in each crust. Chill until firm.
3. Top pies with whipped topping when ready to serve.

Submit recipes to [mlg@mileylegal.com](mailto:mlg@mileylegal.com)

## Words of Good Wisdom

"Rejoice in our confident hope. Be patient in trouble, and keep on praying."  
- Romans 12:12

"Worry weighs a person down; an encouraging word cheers a person up."  
- Proverbs 12:25

"It's not what you look at that matters, it's what you see."  
- Henry David Thoreau

"Yesterday is history, tomorrow is a mystery, today is God's gift, that's why we call it the present."  
- Joan Rivers

## September's Cases of Interest

### **Driver and Passenger Hit Car Backing in Road**

Our client and his wife were leaving his mother-in-law's home in Buckhannon, and as they approached a local animal clinic, a customer of the clinic backed our in front of them. Unfortunately, for our clients, the impact was severe enough to result in a trip to the ER and follow up care.



We met them to go over their contract and get them signed up at home in Buckhannon. This would prevent them from traveling to our office and would allow us to get working on their case right away.

Currently, they are still under the care of a number of doctors and have recently received CT Scans and MRIs to uncover any further injuries not found during their visit to the ER.

### **Dog Attacks Woman and Her Therapy Dog**

Another month, another dog bite. Our client was walking with her dog through her neighborhood, when a dog not on a leash, and one that was known to bite, attacked both her and her therapy dog.

The dog caused multiple bite wounds on our client and if it were not for a concerned neighbor, it could have been much worse.

The owner of the dog was not initially forthcoming on the dog's history, but according to animal control, it had an extensive history of biting and had to be put down.



Currently, our office is researching for any available insurance that can help ensure that our client's life is put back together.

"The greatest compliment we can receive is the referral of your family and friends."

### **Speeding Driver Strikes Man Next to Road**

Our client and his family were outside enjoying the warm weather when the neighborhood speeder bussed by their home for the 100th time.

Our client's wife began to yell at the driver to slow down, which caused our client to move closer to the road to see what was going on.

Unfortunately for our client, the speeding driver took aim and struck him causing multiple fractures in his leg, which required an immediate casting and potentially thousands of dollars in surgery and physical therapy afterwards.

The couple was referred to us by a family friend, who had worked with us before, and we immediately told them their options. They agreed to hire us. Since then we have been in touch with the responding agency and have begun gathering the information we need to assist our client in getting his life back together.





Check out our blog at  
[MileyLegalBlog.com](http://MileyLegalBlog.com)



**Will Medicaid Pay Your  
Accident Bills?**

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Give this newsletter to a friend. They will thank you for it and so will I.

This publication is intended to educate the general public about personal injury, medical malpractice, and other issues. It is for information purposes only and is not intended to be legal advice. Prior to acting on any information contained here, you should seek and retain competent counsel. The information in this newsletter may be freely copied and distributed as long as the newsletter is copied in its entirety.

# Miley Family Fun



**Skylar's Wedding!  
Congratulations!**

## Meet This Month's Sponsored Adoption! Shena is Available at the Harrison County Animal Shelter.



### Meet Shena

Shena is a 7-1/2 yr old mix (maybe mastiff and boxer). She came in at almost 100 lbs, but with good diet and lots of exercise (she especially loves playing in the yard with Leo) she is down to a reasonable low 80s. She skips for joy when she sees humans. She has a great personality. She has done ok with a few of our dogs, especially her BFF Leo. Not sure about cats.

She is spayed, up to date on all vaccines, and ready for her forever home. All of that is included in the adoption fee. If interested reach out to the Humane Society of Harrison County.

Sponsored by:



Humane Society of Harrison County