

## **Do I Need Uninsured Motorist Coverage on My Auto Policy If I Have Medicare Or Health Insurance?**

By [James Dodson](#)

This is a very common question that we encounter in our practice. I've even heard of insurance agents who expressed the opinion that people do not need uninsured motorist coverage on their auto policy if they have health insurance or Medicare. The reasoning seems to be that following an accident their medical bills would be covered. Unfortunately, this reasoning fails to take into consideration all of the other benefits available from uninsured motorist coverage to someone who's been seriously injured in an auto accident or to the estate of someone who has been killed.

The purpose of uninsured motorist coverage is to compensate the insured for all of the elements of damage they would have been entitled to receive from the person causing the accident, but who carried no bodily injury insurance, or very low limits of coverage. In Florida, those damages would include: pain, suffering, disability, scarring, disfigurement, mental anguish, loss of the enjoyment of life, lost earnings and earning capacity, as well as unpaid medical expenses incurred in the past, and those to be incurred in the future. Of this list of damage items, the only ones which would be covered by health insurance or Medicare would be "covered" medical expenses. Beyond having their medical expenses paid, someone carrying no uninsured motorist coverage, who was struck by an uninsured driver, would receive no compensation for all of the other elements of damage described above.

No one ever believes they will be involved in a serious motor vehicle accident. But every day throughout the state of Florida, hundreds of people are seriously injured who also believed it would never happen to them. Following a serious accident, the injured person will immediately begin to consider, who will compensate them for the substantial losses they have incurred and those which will be incurred in the future. Losses such as pain, suffering, loss of enjoyment of life, as well as loss of earning capacity and earnings are very commonly encountered in relatively routine motor vehicle accidents. In the more serious accidents, all of these losses may be incurred, particularly those which involved the death of a loved one. People naturally become angry and frustrated when they have been struck by an uninsured driver, only to discover their own policy of insurance does not include uninsured motorist coverage.

There is something else to consider about carrying only Medicare or health insurance. If there is any liability coverage available to provide compensation of one's injuries, even though it may be woefully inadequate, Medicare and virtually all health insurance policies, have reimbursement rights. Federal statutes require reimbursement of benefits provided by Medicare and employer sponsored health insurance plans when the injured person receives compensation for their injuries. Most other health plans contain reimbursement rights which are regulated under state law, including Florida. This means that when someone's health insurance or Medicare provides benefits to them following an accident, those benefits are subject to being paid back if the injured person is successful in getting even minimal compensation from the party responsible.

Therefore, the only way someone may protect themselves is to carry the maximum amount of uninsured motorist coverage they can afford. We urge our clients to examine their declaration sheet on their auto policy, determine what coverage they actually have purchased, and call their agent to get a quote for uninsured motorist or additional uninsured motorist coverage.

Attorney James W. Dodson is a Clearwater, Florida [personal injury trial lawyer](#) with over 20 years experience representing clients in all types of injury claims including vehicle accidents, fall cases and wrongful death. He is the author of three books offered FREE to consumers as a guide to dealing with accidents and insurance. Visit his website at [JWDodsonLaw.com](http://JWDodsonLaw.com) for FREE copies of these books, other articles, videos, news and commentary.

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