

Documentation That Wins Cases: What Personal Injury Attorneys Need from Chiropractors

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It would not be a shock to most chiropractors to say that good documentation is important. However, what many providers may not realize is just how much impact their records have on the value and outcome of their patient's personal injury case.

In most personal injury claims, the medical records become the foundation upon which the entire case is built. Long before a case reaches a jury, insurance adjusters, defense attorneys, and claims managers are reviewing medical – and particularly chiropractic – records to determine whether the injury is legitimate, whether treatment was necessary, and how much compensation they are willing to offer.

Simply put, well-documented chiropractic records can help attorneys obtain better results for injured patients. Better results often mean greater access to care, more successful treatment outcomes, and stronger long-term relationships between providers and attorneys. And, in the case of a chiropractic lien, can ensure there is enough money to satisfy the outstanding bill for medical care.

The Initial History Is Often the Most Important Record in the Entire Case

The first visit frequently becomes the most scrutinized document in a personal injury claim.

Insurance companies are looking for answers to several key questions:

- Did the patient seek treatment promptly?
- Did the patient mention how the injuries occurred – specifically, did the patient and provider discuss the incident?
- Did the patient report symptoms consistent with the incident?
- Is there a clear mechanism of injury?
- Were there pre-existing complaints?

A detailed history in the initial encounter record provides critical context that often cannot be corrected in records from later encounters.

Objective Findings Matter

Insurance companies tend not to value soft tissue injuries as high as other injuries. They frequently characterize soft tissue injuries as subjective, arguing that they are either difficult or impossible to verify, and therefore, scrutinize claims related to soft tissue injuries harshly.

Objective findings help counter that argument, including reduced range of motion, muscle spasms, orthopedic testing results, neurological findings, palpatory findings, and functional deficits.

Functional Limitations Tell the Real Story

It is certainly an important part of the case to prove what treatment occurred, but it is even more important to say why the treatment was necessary.

If the patient cannot prove that the treatment was necessary – and *made* necessary by the incident at issue – then the patient will likely lose their case. Functional limitations testing can answer this.

It is important to include these tests and the results in the records clearly. This will help establish a causal relationship between the treatment and the incident.

Examples include range of motion, flexibility and palpation tests. It is also important to ask the patient about any difficulties in their daily lives, such as driving, working, sleeping, exercising, caring for children, or performing household activities.

Consistency Is Critical

One of the first things defense attorneys look for is inconsistency. Recovery is rarely linear, but documenting changes and explaining them helps maintain credibility throughout the treatment course.

Document Improvement and Ongoing Limitations

Providers should clearly identify improvements achieved, remaining symptoms, ongoing functional limitations, and future treatment recommendations.

Gaps in Treatment Should Be Explained

Gaps in treatment are one of the first things that defense attorneys look for when trying to find ways to undermine a patient's personal injury claim. The argument often follows: "If the patient was truly injured, or if their injury was so severe, why didn't they continue treating until they had fully healed?"

This can be a very effective argument to a jury. But it can also be easily countered in the medical records.

When a treatment gap occurs, documenting any medical reason for such a gap can prevent the defense from creating a misleading narrative later.

Why Good Documentation Benefits Chiropractors

Well-documented records increase the credibility of treatment recommendations, improve the likelihood of full lien payment, reduce disputes over medical necessity, support future testimony, and strengthen relationships with referring attorneys.

Final Thoughts

The best chiropractic records do more than describe treatment. They tell the story of an injured person from the day of the collision through recovery.

As personal injury attorneys, we understand that chiropractic providers who take the time to create clear, detailed, and defensible records are incredibly valuable to their patients. Those records frequently become some of the most powerful evidence in a personal injury case.

Good documentation does not just support treatment—it wins cases.

For questions or referrals, visit: www.blackandblinklaw.com or call 719-328-1616.

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