

Are Medical and other health care expenses incurred before death recoverable in a Wrongful Death?

What happens when someone is injured in a car accident and is hospitalized for weeks and then dies from those injuries? Can the heirs recover money for the medical bills from the at-fault party? Would health insurance be reimbursed if they paid for these injuries?

The heirs can recover the expenses for the necessary health care the decedent reasonably needed before he died to treat the injuries he suffered because of the accident. This element of compensation can be very high when the decedent required trauma room care and surgical intervention to try to save his life. Frequently the efforts to collect this damage is offset by the claims for reimbursement asserted by Medicare, Medicaid, or health insurance which paid the medical expenses, resulting in little net gain for the estate or the wrongful death claimants.