

Common Car Accident Injury: Rotator Cuff Tear

A Portland Personal Injury Lawyer Explains Your Options

One of the most common injuries that occur when a driver is involved in a side-impact or T-bone type collision is a painful tear of a composite of the four major muscles and tendon fibers that join to the upper half of the capsule of the shoulder joint. In ordinary, everyday language, this is known as the rotator cuff. Any Oregon driver who has experienced such an injury should seriously consider retaining the services of an experienced [Portland personal injury lawyer](#). Why? Because traditionally, insurance companies have offered far less than the proportional average for this type of claim.

Who is most likely to suffer this type of injury?

Apart from major league pitchers, who for obvious reasons are prone to rotator cuff injuries, the degeneration of the rotator cuff area is seen as a natural part of the aging process, so people over the age of 40 are more likely to be injured in this area. In addition, anyone who does a large amount of overhead lifting on a repetitive basis is a prime candidate for a rotator cuff injury. For the purposes of this article, however, the violent motion which results from a side impact collision causes the vehicle's occupant's joints to be forced in such a way as to cause damage to this area of the body.

Like most injuries, a [torn rotator cuff](#) comes with different degrees of severity. Therefore, "rotator cuff injury" is a relative term, and can mean everything from a strain causing minor limitation in the motion of the shoulder, all the way up to severe ruptures of one or more muscles and badly torn tendons.

Big gaps between demands and offers

When a Portland personal injury lawyer makes a demand on behalf of a client, in the vast majority of cases, the insurance companies will come back with a counter offer which is lower than the demand. Even when the plaintiff's claim is supported by medical evidence, such as doctors' reports and MRI scan results, insurance companies tend to offer not just less than the demand, but quite considerably less.

As far back as 1999, research indicated that the average or median final demand for a rotator cuff injury was \$85,000. However, the median *final* offer was just \$25,000. This was obviously a massive difference, and the average final award at the time, which was \$50,000, did little to settle the dispute over whether plaintiffs were aiming too high, or insurance companies were being unrealistically tight-fisted.

The situation improved on behalf of plaintiffs in the intervening years and in some places across the country, dramatically so. For example, in Washington D.C., rotator cuff settlements and awards now average in excess of \$100,000. In Oregon and elsewhere, the rise in awards between 1999 and 2006 increased by almost a full 50%. By the end of that year, the average settlement for a rotator cuff injury had risen to \$72,667.

What should I do if I've been injured?

First and foremost, get the medical help you need. Rotator cuff injuries can have a debilitating and long-term impact if not properly treated. Limitations in movement, chronic pain, stiffness, irritation and weakening of the joint are all possible long term effects. Once you've seen a doctor and received treatment, start making notes of everything that has happened to you from the moment of the accident that caused your injury. Then go and speak to an experienced and reliable Portland personal injury lawyer. They will listen to you, assess the evidence and give you a good indication of the kind of settlement you can expect.