

How a Pre-Existing Condition Can Complicate a Car Accident Claim

Let our Maryland car accident attorneys help you get full compensation for your injuries

If you've been hurt in a [car accident](#) and already had a medical issue before the crash, you're probably wondering how that will affect your case. Pre-existing conditions can make personal injury claims more complicated, but they don't make them impossible.

Insurance companies are quick to pounce on any sign that your pain or injury isn't new. They might try to blame everything on your old back injury, your arthritis, or that surgery you had a few years ago. However, the law doesn't let them off the hook just because you weren't in perfect health before the crash.

In fact, under the law, you still have the right to compensation if the accident made your condition worse. The key is understanding how to prove it and how to protect yourself from the tactics insurance companies use to discredit your claim.

What is considered a pre-existing condition in a car accident claim?

A pre-existing condition is any medical issue you had before the car accident. It might be something that was fully healed, something you were managing without difficulty, or something that had flared up on and off for years. In the eyes of an insurance company, any past diagnosis is fair game.

Common examples include:

- Prior back or neck injuries, especially from old accidents
- Arthritis or degenerative disc disease
- Herniated discs or spinal stenosis
- Past surgeries or joint problems
- Old concussions or head injuries
- Chronic pain conditions such as fibromyalgia

Whether your condition was active or dormant before the crash, it can become a sticking point in your claim. Insurance adjusters will often dig through your medical history looking for anything they can use to argue that your pain isn't from the recent car accident at all.

Can you still recover compensation if you had a pre-existing condition?

You're still entitled to compensation if the car accident aggravated or worsened your pre-existing condition. In legal terms, this is known as the [eggshell plaintiff rule](#). It means the at-fault driver must take you as they find you, even if you were more vulnerable to injury than someone else might have been.

For example, if you had a previous back problem that was under control, and the crash caused it to flare up or become more painful than ever, you may have a valid claim for damages.

What you can't do is claim compensation for the original condition itself. You're not entitled to be in a better position than you were before the crash, but you are entitled to be compensated for the difference. That's why proving aggravation is so important when pursuing a car accident claim.

How do insurance companies use pre-existing conditions to challenge claims?

Insurance adjusters often seize on pre-existing conditions. Once they find one, they may attempt to use it against you by:

- Arguing your pain already existed
- Claiming the car accident is unrelated to your current symptoms
- Suggesting your injury is part of the natural aging process
- Offering a low settlement by labeling your claim as having "limited value"

They may even ask for a signed release to dig into years of your medical records. This can be risky. While you should never lie or hide your medical history, it's wise to speak with an attorney before granting full access to your records.

What evidence is needed to prove a car accident caused or worsened my injuries?

When a pre-existing condition is involved, strong evidence becomes the foundation of your case. You need to show that the car accident aggravated your condition, increased your pain, or caused new limitations you didn't have before.

Helpful evidence includes:

- Medical records from before and after the crash that document changes
- Doctor's notes or written statements explaining how the car accident worsened your condition
- Imaging studies such as MRIs or X-rays that reveal new damage or flare-ups
- Expert medical opinions that support your claim
- Pain journals kept after the crash to track symptoms and recovery
- Statements from family members or coworkers describing changes in your lifestyle or mobility

The more clearly you can document what changed after the crash, the harder it is for the insurance company to argue otherwise.

How can your doctor help support your claim?

Your treating physician plays an important role in connecting your injuries to the car accident you were involved in. They can provide a detailed medical timeline that shows what your condition was before the crash and how it changed afterward.

Your doctor might write a letter or report stating:

- That your condition was previously stable or had no symptoms
- The car accident led to a clear increase in pain, symptoms, or physical limitations
- That you required new or different treatment only after the crash
- That your long-term outlook has worsened because of the car accident

Should I disclose my pre-existing condition to an insurance company?

You should always be honest with your attorney about your medical history. Your lawyer is there to protect you, not judge you. If they are aware of your pre-existing condition early on, they can build a stronger strategy and anticipate the arguments made by the insurance company.

When speaking to the insurance company, however, you need to be careful. You should never lie, but you also should not volunteer more information than necessary, especially in a recorded statement. You should not give a recorded statement without first consulting an attorney. Let your attorney handle communications when possible.

Trying to hide a prior injury almost always backfires. If the insurance company uncovers it later (and they usually do), it can hurt your credibility and damage your claim.

What role does Maryland law play in these types of claims?

Maryland is an at-fault insurance state, which means the driver responsible for causing your car accident (and their insurance company) is generally liable for your medical expenses, lost income, and other damages. Unlike no-fault states, Maryland doesn't restrict your ability to file a lawsuit based on injury severity. If someone else caused your crash, you can pursue a personal injury claim regardless of the extent of your injuries.

Maryland law allows for the aggravation of a pre-existing condition. While a pre-existing condition can make cases more complicated, Maryland law also states that someone susceptible to an injury due to a prior condition is still entitled to full justice. That's why having strong legal representation is so important, especially if your condition was worsened by the crash.

You need someone who can gather evidence that proves you weren't at fault and prove your injuries. That could include the police report, witness statements, traffic or surveillance camera footage, accident scene photos, vehicle damage assessments, and expert opinions such as accident reconstruction analysis and medical experts.

Get the legal help you need after a car accident in Maryland

If you've been injured in a car accident in Silver Spring, College Park, or anywhere in Montgomery or Prince George's County, the experienced attorneys at [Goldberg Finnegan](#) are ready to fight for your rights. Our skilled legal team is here to guide you through the claims process, investigate your crash, negotiate with insurance companies, and if necessary, fight for you in the courtroom. Our mission is to help you recover the full and fair compensation you deserve so you can focus on your recovery.

When you hire us, you pay nothing unless we win your case. We work on a contingency fee basis, which means no upfront costs and no hourly rates. We also offer a completely free consultation, so you have the opportunity to speak with one of our attorneys, get honest guidance, and fully understand your legal options without pressure or commitment.

Time is limited under Maryland law to take legal action. [Contact us](#) today to schedule your free, no-obligation case review. We proudly represent clients in Silver Spring, College Park, Wheaton, Bethesda, and communities throughout Montgomery County, Prince George's County, and beyond. Let us help you protect your rights and build a path toward recovery.

"Above and beyond, best describes the joint efforts of Ryan and Isai, my "dream team" at Goldberg Finnegan. Many thanks for your continued responsiveness and caring considerations throughout my litigation process. Job well done!!" — M.L., ★★★★★