Florida Supreme Court Ruling Benefits Medical Providers and Patients

LaBovick Law Group case part of group that won a ruling addressing the issue of how insurance companies are permitted to apply deductibles to personal injury protection (PIP) medical bill claims.

PALM BEACH GARDENS, Fla. (PRWEB) January 04, 2019 -- The team at LaBovick Law Group is celebrating a big win. The Florida-based law firm’s case (USAA Gen. Indem. Co. v. Gogan, 238 So. 3d 937, 943 (Fla. 4th DCA 2018) was part of a group that won a controversial insurance deductible issue for the entire state.

Florida state law (Fla. Stat. § 627.736) requires all automobile owners to carry personal injury protection (PIP) insurance. PIP is designed to cover medical costs, as well as lost wages and funeral expenses. Often referred to as “no-fault coverage” because those insured must use PIP even if they are not at fault for causing an accident, PIP insurance is mandatory in Florida. This means that all medical providers must bill PIP first for medical services provided to automobile accident victims.

In a unanimous 7-0 decision made on December 28, 2018, the Florida Supreme Court ruled that insurance companies were incorrectly reducing medical charges by fee schedules before applying PIP deductibles.

The landmark ruling sets Florida law in a way that helps medical providers and patients. Insurance companies must use PIP deductibles against 100% of charges, thus paying off greater percentages of total medical bills and saving patients money. In addition, medical providers and patients are likely to have money owed to them for PIP claims paid incorrectly over the past 5 years.

Said Brian F. LaBovick, managing shareholder at LaBovick Law Group, “We were honored to be a part of the Florida Supreme Court’s decision. This is great for our clients, but it is even better to be a part of something universal that helps every patient and medical provider across the state.”


LaBovick Law Group has been successfully settling and trying personal injury, worker’s compensation, social security disability, maritime, qui tam, and PIP insurance cases for more than 25 years. The law firm’s PIP team assists Florida medical providers – including hospitals, ER doctors, surgeons, chiropractors, MRI centers, clinics, and physical therapy rehab centers – in recovering unpaid or incorrectly paid PIP benefits. For more information, visit https://www.labovick.com.
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