



Under **New York State Insurance Law §5102(d)** an injured person in a motor vehicle accident may recover money damages for pain and suffering if they sustained a legally defined **Serious Injury**.

“**Serious Injury**” means a personal injury which results in:

- **Death;**
- **Dismemberment;**
- **Significant disfigurement;**
- **A fracture;**
- **Loss of a fetus;**
- **Permanent loss of use** of a body organ, member, function or system;
- **Permanent consequential** limitation of use of a body organ or member;
- **Significant** limitations of use of a body function or system; or
- **A medically determined** injury or impairment of a non-permanent nature which **prevents the injured person from performing substantially all of the material acts which constitute such person’s usual and customary daily activities** for no less than ninety (90) days during the one hundred eighty days (180) immediately following the occurrence of the injury or impairment.

Don’t let the insurance company tell you your injury does not qualify under the law. We have recovered significant money awards for many clients who have been told they did not have a serious injury.