

# SURVIVING WHIPLASH

SAVING YOUR NECK  
WITHOUT LOSING YOUR MIND

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WITHOUT LOSING YOUR MIND

Mark Frobb MD

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Mark Frobb MD

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*... If I am not for myself  
who will be?*

*... Hillel the Elder*

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# HOW TO USE THIS BOOK: *WHAT YOU NEED TO KNOW NOW*

If you are reading this, chances are you or a loved one are uncomfortable, anxious and looking for answers. You've come to the right place.

*Surviving Whiplash: Saving Your Neck Without Losing Your Mind* is a comprehensive handbook to help you navigate the pain and frustration of this very illusive and costly injury. The sooner you understand *Your Injury*, *Your Recovery*, and *Your Rights*, the more satisfactory your outcome is likely to be.

# HOW TO USE THIS BOOK: *WHAT YOU NEED TO KNOW NOW*

## ***SECTION I. YOUR INJURY***

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**Chapter 1. The Whiplash Landscape**

**Chapter 2. What is Whiplash?**

**Chapter 3. Whiplash-Associated Disorders:  
*Signs and Symptoms***

**This section lays the foundation for your recovery.** Your first step is to familiarize yourself with *The Whiplash Landscape*, better enabling you to negotiate the terrain you are about to encounter. This introduction dispels some of the most common myths associated with whiplash and sets your compass for fighting back to physical and financial health.

By understanding the anatomy of your condition you become a more confident champion of your own resolution. No one knows how you feel better than you, not even your healthcare provider. Reading this book arms you with information—the very first step toward ensuring a successful outcome.

## ***SECTION II. YOUR RECOVERY***

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**Chapter 4. Treating Whiplash-Associated Disorders**

**Chapter 5. How Much Treatment is Enough?**

This section details the comprehensive list of tools at your disposal, first and foremost being *your active participation and direction in your recovery*. The goal is to regain the life you had prior to your injury; the specific, multidisciplinary strategies for pursuing this objective are detailed here.

***SECTION III. YOUR RIGHTS***

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- Chapter 6. Documenting Your Accident:  
*Do it Now!!***
- Chapter 7. Understanding Your Opponent:  
*Put on Your Insurance-Adjuster Hat***
- Chapter 8. What You Say Can and Will Be  
Used Against You:  
*Should I Hire a Lawyer?***
- Chapter 9. Yours, Mine and Ours:  
*Medical Experts and the Law***

**This section answers the multitude of questions you are undoubtedly struggling with now that you have been abruptly thrust into the litigative process.** What you don't know can hurt you when dealing with insurance companies and the legal system. Make no mistake, the role of the insurance adjuster is to save the insurance company money.

First, this section gives you the template to comprehensively document your accident and your injury. Next, it delves into the motivations and techniques of the insurance adjuster and the design of the legal system to resolve conflict—helping you better understand the events to come. Finally, it discusses the objective tests available to prove your case. Preparation will help you become the savvy self-advocate you need to be to secure the comprehensive medical and financial support you deserve.

## HOW TO USE THIS BOOK: *WHAT YOU NEED TO KNOW NOW*

### ***SECTION IV. REBUILDING YOUR LIFE***

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Eventually the litigative process surrounding your whiplash injury will come to a conclusion. This section motivates you with the good news that awaits and the strategies to ensure ongoing improvement. It provides you with the strength to continue when you feel there is no end in sight.

### ***SECTION V. ONE-STOP WHIPLASH REFERENCE GUIDE***

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#### **Appendix A. Glossary:**

All the terminology you can expect to encounter, along with definitions and explanations of the tests, tools, and treatments for whiplash-associated disorders.

#### **Appendix B.**

##### **Documenting Your Accident:**

- A checklist to ensure you don't miss the details that will be critical to your treatment and your potential financial settlement.

##### **Documenting Your Treatment:**

- A checklist to assist you in charting the course of your recovery—especially useful when accessing a multidisciplinary approach and/or preparing documentation for a potential litigative process.

#### **Appendix C. Care Providers and Credentials:**

All the healthcare providers and qualifications you should know about when choosing the healthcare team that will ensure your optimum whiplash recovery.

# THE WHIPLASH LANDSCAPE: *KNOW THE TERRAIN*

*“I’m in pain. I’m worried. Where do I go from here?”*

Whiplash is the most common injury resulting from motor vehicle collisions. The good news is, most cases will resolve on their own, without any significant need for care or treatment. For the less fortunate few, the hard fact remains, whiplash-associated disorders (WAD) are a significant cause of chronic disability. Let’s begin by dispelling a few of the myths likely to cause you the most grief.

***Myth: “If there’s no visible damage to the vehicle, there’s no chance of whiplash.”***

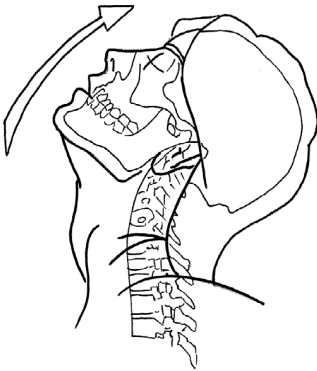
**Fact: Significant whiplash injuries can occur without any major damage to the victim's vehicle.**

Whiplash can occur in any vehicle collision—and at surprisingly slow speeds. Most common causes of whiplash injuries are rear-end collisions. They can, however, occur with T-bone impacts (the front of one vehicle striking the side of the other).

## THE WHIPLASH LANDSCAPE: *KNOW THE TERRAIN*

The energy transfer during the collision alters the normal curve of the neck, affecting the vertebrae and their supporting soft tissues (including muscles, fascia and ligaments) as well as the spinal nerves.

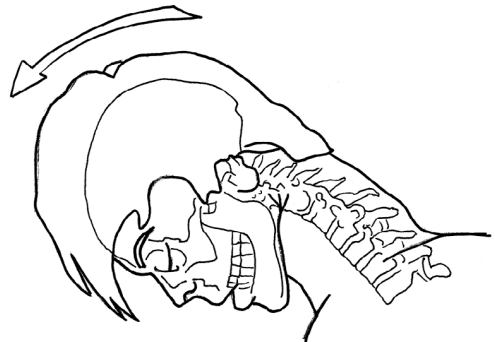
### WHIPLASH INJURY- PHASE 1



The forces experienced during the collision surpass the tolerances of the soft tissues, causing tearing and shearing of the supporting ligaments and muscles. The hyperextension of the neck causes traumatic compression of the discs between the vertebrae and jamming of the connecting joints (apophyseal facet joints) between the vertebrae. These joints serve to connect each of the cervical vertebra to the ones above and below, and are responsible for the smooth articulating movement of the cervical spine.

Automobile insurance companies have increasingly adopted a "No Crash, No Cash" policy regarding minimal damage to involved vehicles. This hard-line approach further contributes to the stress and anxiety of whiplash victims, who are sincerely trying to put their lives back together.

### WHIPLASH INJURY- PHASE 2



## THE WHIPLASH LANDSCAPE: *KNOW THE TERRAIN*

***Myth: “The extent of the whiplash injury can easily be determined by the medical examination.”***

**Fact: Clinical examination even by experienced physicians and therapists may fail to clearly identify the extent of the injury or the time-frame necessary for rehabilitation and resolution.**

Clinical findings in whiplash-associated disorders normally demonstrate a reduction in range of motion of the neck and upper back as well as localized pain to touch—but these clinical findings seldom provide significant clues to the extent of the injury or the long-term prognosis associated with the injury, *even with appropriate therapy.*



***Myth: “If you didn’t hit your head, you can’t have a concussion.”***

**Fact: In addition to the traumatic injuries to the neck itself, it is possible to cause concussive injuries to the brain even in the absence of striking the head to some part of the vehicle or another occupant. These injuries, known as Mild Traumatic Brain Injuries (MTBI), may be responsible for long-lasting effects resulting in ongoing disability and impairment.**



## THE WHIPLASH LANDSCAPE: *KNOW THE TERRAIN*

***MYTH: “A whiplash injury is a whiplash injury and treatment for whiplash injuries is much the same for everyone.”***

**FACT: Treatments for whiplash injuries are marked by idiosyncrasy, meaning that what works for one patient may not necessarily work for the next, even though the symptoms may be identical.**

As mentioned earlier, most whiplash-associated injuries will resolve without the need for intensive therapy. A feeling of stiffness of the upper back and neck that resolves spontaneously over a course of two to three weeks, where the individual does not even feel the need to present for care, is unlikely to run into any future problems.

Significant pain from the onset, however, especially pain that interferes with the activities of daily living, should be addressed immediately. The best window of opportunity for resolving whiplash-associated injury is in the first three months following the accident. Pain that is still present after three months, unfortunately, may still remain at 12 months. Pain at 12 months may very likely be there for years.

This unfavorable prognosis of persistent pain in chronic cases is likely attributable to physiological changes that occur at the site of injury. With the physical disruption of the soft tissues, irritant chemicals leak into the site surrounding the local nerve endings. These noxious chemicals create an "inflammatory soup", which causes sensitization of the local nerve endings, often responsible for the chronic pain conditions that result in long-term disability.

This is not meant to imply hopelessness, for there is likely effective treatment even for these individuals. It is, however, meant to strongly encourage early attendance for treatment. Many stoic individuals may choose to adopt a watch-and-wait approach to seeking care. While this is not unreasonable in mild cases, if symptoms persist after sev-

## THE WHIPLASH LANDSCAPE: *KNOW THE TERRAIN*

eral weeks, therapeutic intervention can become more problematic and the prognosis less positive.

As a spinal care physician who has treated whiplash injuries for over three decades, I would very much like to see patients earlier, even if only to give reassurance, rather than seeing the patient at a later stage when I recognize the treatment program is going to be prolonged, complicated, and decidedly less satisfactory for the patient.

After whiplash patients have been in treatment for some time, they will often identify those treatments that provide the most relief for particular aspects of their injury. Patients should give themselves credit for their ability to recognize which treatments provide the best relief for particular aspects of the injury, and use that knowledge to their best advantage.

It is also important to recognize that certain therapies may have a limited benefit in your specific rehabilitation and that it may be necessary to involve more than one therapy, either in association with another therapy or in succession, to advance your therapeutic progress.



***MYTH: “The insurance adjuster’s job is to work toward a fair and equitable resolution.”***

**FACT: While it is not intended to be critical of insurance companies, it is important for the whiplash victim to realize that the insurance adjuster’s responsibility does not necessarily lie with the injured party, but rather to the company’s obligation to limit claims. Although I accept this may be an unfair characterization of the insurance industry at large, it is best for the whiplash-injured**

## THE WHIPLASH LANDSCAPE: *KNOW THE TERRAIN*

**party to keep their own best interests at heart, and protect these interests by becoming their own well-informed advocate.**

The failure of the insurance company to recommend treatment should not be taken as evidence that your injury is minimal. Taking primary responsibility for your injury by visiting your physician, chiropractor or therapist for evaluation and recommendations for treatment is considered good advice.

Insurance adjusters may reference specific studies indicating that whiplash victims who present early for therapy, and have protracted courses of therapy, are likely to be the most symptomatic one-year post-injury. In review of these same studies, there are also the following observations:

- It is very likely that the most significant injuries will be the first to seek therapy, and very possibly these are the same patients to have ongoing symptoms one-year post-injury because of the severity of their injury.
- Authors of the studies making these observations often have automobile insurance companies as major contributors to their research.

### ***THE EMOTIONAL COSTS OF WHIPLASH***

In addition to the medical and socioeconomic costs (billions of dollars annually in North America), whiplash also accounts for immeasurable emotional and psychological costs for the victims and their families. The stress associated with pain, chronic disability and impairment can have a significant effect on an individual's well-being and health status. Considerable adjustments to both work and play are often the result for the whiplash patient and their family.

## THE WHIPLASH LANDSCAPE: *KNOW THE TERRAIN*

Not surprisingly, a significant number of whiplash victims may find themselves emotionally compromised, necessitating treatment for anxiety-related illnesses, depression and the more increasingly recognized Post Traumatic Stress Disorder (PTSD).

In the absence of clearly defined medical evidence of their injury, the affected whiplash victim will likely feel considerable dismay given the significant pain they are experiencing. This perplexed feeling may turn to anger and frustration with the insurance adjuster whom, in the absence of significant vehicular damage, may imply the victim is simply magnifying symptoms to boost claims for damages.

Encouraged to “get on with it” by doctors, therapists and even family members, the whiplash victim may feel isolated in their pain and suffering.

### ***FIGHTING BACK***

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The best advice to the whiplash victim: Educate yourself about your injury.

- Understand the biomechanics of the collision and how the energy transfer to the anatomy of your neck caused the framework of your injury
- Understand the different pain generators associated with this complex condition
- Understand the variety of multidisciplinary treatments available to assist in rehabilitating whiplash-associated disorders
- Understand the motivations and techniques of insurance companies when pursuing compensation for your injuries

Becoming an empowered, equal partner in your rehabilitative care will improve your mental state and the positive resolution of your injury. Ultimately, the whiplash victim can and should be their own best doctor and advocate!