

# Cultural Daily

Independent Voices, New Perspectives

## Technology: The Impact on Your Work Injury Claim

Our Friends · Tuesday, July 30th, 2024

Technology is being used in new ways in work injury claims, both helping and potentially harming cases. And so if you suffer an on-the-job injury and pursue compensation, expect technology to play a major role in your case.

### Common Types of Technologies Used

Let's explore some specific kinds of technologies frequently utilized in work accident cases:

#### Surveillance Cameras

- Security camera systems are now prevalent in most workplaces, continuously recording operations. Footage may provide visual proof of how an accident transpired.
- Employers also hire private investigators to conduct video surveillance of injured employees. They record activities to potentially demonstrate the exaggeration of disabilities.
- Drones equipped with cameras make surveillance easier without close physical proximity. Injured workers may be followed and filmed without their knowledge.

#### Social Media

- Facebook, Twitter, Instagram and other platforms provide a wealth of information. Photos, videos, comments, check-ins, etc. may conflict with disability claims if engaging in unsupported physical activities.
- Defense lawyers spend hours combing through profiles looking for evidence of exaggeration.

#### Smartphones & Wearables

- The average smartphone contains huge amounts of data – call & text logs, emails, browsing history, apps used, GPS travel patterns and more. Plaintiffs may be court-ordered to surrender phones.
- Fitness trackers record exercise patterns, heart rate info, sleep cycles, steps taken, etc. The life-logging capabilities can reveal if claimed activity restrictions are truthful.
- Implanted medical devices also generate patient data. Pacemakers, insulin pumps, nerve stimulators and more detect biometric readings that assess medical conditions.

#### Job Site Technology

- More worksites utilize algorithms, sensors, wearables, and other technology to monitor employee productivity, safety compliance, and movement patterns during shifts. This data may indicate

worker activity levels prior to reported injuries.

- Heavy machinery and equipment is now fitted with sensors and data recording systems that track operating conditions, pressures, temperatures, velocities, forces exerted, faults or errors occurring, who operated it when, etc. This telemetry data provides insight into workplace accidents and can help ensure you [receive compensation for your injuries](#).

## Medical Records

- Electronic medical records continue to replace paper files. This facilitates the fast sharing of patient information between treating physicians, employers, insurers and their legal teams. Rapid access streamlines disability disputes.
- Advanced diagnostic technology creates far more detailed patient health data. High-tech imaging, nerve conduction, pain mapping, gait analysis, spinal flexibility measurement and more quantified proof informs compensation decisions.

## How Lawyers Utilize Technology

Insurers leverage technology to reduce claim costs. But plaintiff injury lawyers equally tap modern gadgets and digital capabilities when representing clients:

### Evidence Collection

- Online calendars, notes apps, medication trackers etc. log critical dates to support claim timelines – when the incident happened, physician visits and their orders given, duration of medications taken, lost work days, etc.
- Cloud-based case management software centralizes medical records, doctor communications, pharmacy databases, state reporting procedures, legal references and client files for organized, shareable access across computers/devices.

### Case Development

- Expanding legal analytics tools aggregate public and paid data sets – prior verdicts, opposing lawyer tactics, judicial histories, medical research, workers comp standards, social media feeds etc. This equips plaintiffs' attorneys to build strong arguments.
- Custom mobile apps aid clients in gathering required reporting information such as accident details, treatment providers, medical restrictions, lost wage amounts, disability interference and more to speed compiling legal demands.
- Simulation software depicts how accidents occur using 3D workplace/equipment visualizations based on photos, videos, blueprints, telemetry data and more to convince judges and juries of liability arguments.

### Life Evidence

- Small wearable cameras can visually capture daily injury struggles at home that phones/cameras miss – pain while bending/lifting, limping downstairs, needing help dressing etc. Jurors relate better to seeing real-life limitations.
- Specialized apps track symptoms in real-time – pain levels, medication effects, treatment side effects, mobility restrictions, transportation difficulties etc. documenting lived experience data for court.

## How to Prevent Technology from Hurting Your Claim

While technology provides advantages, injured workers must also be aware of how it poses threats to receiving **fair compensation for injuries** sustained. You want to avoid easily preventable errors stemming from everyday gadgets and online activity:

## Social Media Precautions

Your photos, comments, check-ins and other social media actions may contradict claimed work restrictions. Heed this guidance:

- Assume anything posted can be used against you and restrict accounts as much as possible. Make profiles completely private, even deleting old content if necessary.
- Do not discuss injuries, treatments, activity levels or anything related to the work accident online where an insurance company team can access it. They will likely comb through all your profiles once a serious claim is reported.
- Never post photos/videos of yourself engaging in physical activities that exceed stated medical limitations or which could alternatively explain your injuries. Consider suspending your social media presence altogether until claim resolution.

## Mobile Device Caution Technology

Smartphones and tablets contain extensive data from communications, browsing, apps and more that you may be ordered to surrender:

- Disable background app location tracking functions not essential. The GPS travel logs can reveal if you go to places that exceed injury claims.
- Never access work servers/email or do anything claim-related from a personal device. IT records and metadata can become evidence. Keep separate gadgets for personal and employer realms.
- Be selective in allowing apps to access microphones, contacts, photos and other permissions. Only enable what's absolutely necessary.
- Enhance security with multifactor authentication for important accounts, VPN connections, guarded WiFi use and strongest passcodes to reduce hacking risks. You don't want sensitive life-logging data stolen.

## Medical Device Safety

Implanted technology aids treatment but also betrays personal biometrics. Insurers leverage real-time health metrics to dispute disability assertions:

- Consider potential privacy risks before consenting to apps and equipment monitoring detailed medical diagnostics – do the benefits outweigh the vulnerabilities? What exactly is sent to the cloud?
- Weigh options of medical devices that store or transmit less patient data versus simpler alternatives if they reasonably meet treatment needs. Not everything warrants connectivity.
- Inform physicians of injury claim timelines to avoid procedures that needlessly heighten surveilling access to personal bodies. Ask what diagnostic functionality is actually necessary.

## Further Loss Prevention Measures

Additionally:

- Never use company devices like phones, laptops, cars etc. for anything claim-related. Maintain

strict work/personal data barriers.

- Promptly gather tangible supporting evidence like photos of unsafe conditions, witness statements, accident reports, etc. while memories/access is fresh. Don't rely just on digital files.
- Create secure backups of important claim information and store also on external hard drives or disks in case online accounts are compromised. Don't keep all logs/records digitally vulnerable through apps/clouds.

As a general rule, injured employees have rights against overreaching intrusion but must also take responsible precautions to not enable unnecessary liability through carelessness with technology.

Consult with an attorney to fully protect yourself. They can issue data requests, subpoenas and other procedures to legally obtain files beneficial to your claim. Your attorneys may also block access to privileged personal records irrelevant to the work accident issues.

## Why Lawyers Are Key to Navigating Technological Impacts

As this overview reveals, modern technology introduces many potential influences on injury claims – both supportive and challenging.

Keeping current with rapid legal, ethical and practical implications of evolving technology is extremely difficult for lay individuals. That's why **partnering with an attorney is invaluable** for injured workers.

Attorneys have training and resources to:

- **Strategically apply technology** – collecting digitally preserved incident proof from myriad sensors, data recorders, communications archives etc. present in workplaces and medical facilities today. They ensure properly certified evidentiary standards.
- **Aggressively protect clients** – legally blocking invasive access to personal devices, medical implants and biometric readings, social media accounts, etc. They prevent unlawful violations of privacy and proprietary secrets.
- **Alleviate inappropriate investigation** – limiting the scope of video surveillance, photo documentation hours, miles tracked via GPS and sources of health metrics accessed. Lawyers constrain exploitation beyond reasonable verification needs.

## Key Takeaways

Technology increasingly underpins injury claims in various ways – some beneficial for obtaining rightful compensation, others jeopardizing what you deserve.

The key takeaways from this blog post include:

- Surveillance cameras, social media histories, biometric recordings and more provide evidence for both plaintiffs and defendants.
- Plaintiff attorneys utilize technology to prove claims, while employers/insurers leverage it to dispute disabilities.
- Social media, smartphones, medical devices and daily activity gadgets create potential claim risks if not cautious.
- Experienced lawyers skillfully employ tech tools to advance your case while protecting you from intrusions.

Understanding the growing role of technology and having an expert guiding your claim is vital to receiving the maximum legitimate benefits you deserve from suffering a work injury. Do not leave money on the table or neglect security precautions.

---

**[CLICK HERE TO DONATE IN SUPPORT OF OUR NONPROFIT COVERAGE OF ARTS AND CULTURE](#)**

This entry was posted on Tuesday, July 30th, 2024 at 9:26 am and is filed under [Check This Out](#). You can follow any responses to this entry through the [Comments \(RSS\)](#) feed. You can leave a response, or [trackback](#) from your own site.