

What Happens If Pre-Existing Injuries Are Aggravated in a Crash?

Georgia Car Accident Victims Still Have Rights After an Aggravation Injury

If you were already dealing with a medical issue before your [car accident](#) — like back pain, arthritis, or a prior injury — you might worry that it will hurt your claim. Insurance companies often try to downplay cases involving pre-existing conditions. They'll say your pain was already there. They'll claim the crash didn't change anything. But here's the truth: under Georgia law, you can still recover compensation if the accident made your condition worse.

At the [Law Offices of Gary Martin Hays & Associates](#), our Georgia car accident lawyers know how to prove aggravation injuries and push back when insurance companies try to deny your pain. We've recovered **over \$1 billion** for injured Georgians — including people whose crashes worsened an old or underlying condition. We know the playbook insurers use to fight these cases, and we know how to beat it.

What Is a Pre-Existing Injury?

A pre-existing injury is any medical issue you had before the accident. This might include:

- Herniated or bulging discs
- Old fractures or broken bones
- Degenerative disc disease
- Chronic joint pain
- Past surgeries or fusions
- Arthritis or osteoporosis
- Prior concussions or traumatic brain injuries

Having a pre-existing condition doesn't mean you're not entitled to compensation. If the crash made the problem worse — or triggered new symptoms you didn't have before — the at-fault driver can still be held liable.

What Does Georgia Law Say About Aggravation Injuries?

Georgia follows a principle known as the “eggshell plaintiff” rule. That means the person who caused the crash is responsible for the full consequences of their actions — even if the injured person was more vulnerable due to a prior condition. You don't have to be in perfect health before a crash to deserve compensation.

In fact, Georgia courts have consistently held that if an accident aggravates or accelerates a pre-existing condition, the injured person can pursue damages for the new level of pain, disability, or limitations they experience.

The key is proving the aggravation — showing that the crash made your condition worse or caused it to flare up in ways it hadn't before.

Signs Your Injury Was Aggravated by the Crash

You may not notice new symptoms right away. But if any of the following apply, there's a strong chance your condition was aggravated:

- You're now in more pain than before the accident
- You've lost mobility or function that you previously had
- Your doctor recommends new treatments or surgeries
- Your work or daily activities are now harder or impossible
- You had been stable before the crash but are now worsening

Medical documentation, imaging, and physician testimony are critical in these cases. That's why it's so important to follow up with your doctors and let them know how the crash affected your existing condition.

How Insurance Companies Try to Deny These Claims

Insurance adjusters love blaming everything on "pre-existing conditions." It's one of their go-to tactics for avoiding payouts. Common strategies include:

- Arguing the crash didn't change your medical situation
- Cherry-picking past records to claim your pain was ongoing
- Hiring "independent" doctors to downplay your injuries
- Pressuring you into a quick settlement before symptoms worsen

Don't let them bully you into giving up. With the right legal strategy, we can expose these tactics for what they are — attempts to avoid accountability.

Building a Strong Aggravation Injury Claim in Georgia

Proving that a crash worsened an existing condition requires evidence, clarity, and persistence. Our legal team works to:

- Obtain pre- and post-crash medical records
- Coordinate with your treating physicians for clear comparisons
- Document new limitations in your work, home life, and mobility
- Gather diagnostic imaging and updated treatment plans
- Calculate how the aggravation affects your long-term outlook

We also consult medical experts who can clearly explain to a jury how your condition changed after the crash — and why it matters.

Common Conditions That Often Worsen in Car Accidents

Certain injuries are more likely to flare up or worsen in a collision, even at low speeds. These include:

- **Back And Neck Injuries:** Especially herniated discs or prior spinal surgeries

- **Joint Injuries:** Past knee, shoulder, or hip issues can become unstable or inflamed
- **Head Injuries:** A prior concussion can turn into a more serious brain injury
- **Soft Tissue Damage:** Old muscle tears or sprains can become chronic after a crash

Even if you had been managing your condition well before the accident, a collision can undo years of recovery — and that loss deserves compensation.

Why You Shouldn't Hide or Downplay Pre-Existing Conditions

Some crash victims worry that disclosing a previous injury will hurt their case. But hiding or downplaying your medical history can actually make things worse. Insurance companies will dig deep into your records. If they discover something you didn't mention, they may argue you were dishonest — even if your claim is legitimate.

The best approach is full transparency. Our legal team can take your full medical picture and work with your doctors to clearly show how the crash worsened your condition. Being honest doesn't weaken your case — it strengthens it, as long as the evidence shows real aggravation. It also protects your credibility, which matters if your case goes to trial.

You Can Still Recover Damages — Even With a Pre-Existing Condition

If your crash-related injury is found to be an aggravation of a prior condition, your compensation can include:

- Emergency medical costs
- Ongoing treatment and physical therapy
- Lost wages due to flare-ups or new limitations
- Pain and suffering
- Future medical expenses and income loss

We fight for every dollar. And we don't back down when insurers try to confuse or intimidate injured people with complex medical histories.

How Long Do You Have to File an Aggravation Injury Claim in Georgia?

In Georgia, the statute of limitations for most personal injury claims — including those involving aggravated injuries — is two years from the date of the accident. That means you have a limited window to file a lawsuit or settle your case.

But waiting too long can weaken your claim. Medical records may get lost. Witnesses may be harder to reach. And the insurance company may argue that your condition isn't related to the crash. The sooner you contact a lawyer, the better your chances of building a strong, well-documented case.

Let Georgia's Power Law Firm Fight for What You're Owed

Your injury is real — even if it didn't start with the crash. What matters is how the collision changed your health, your life, and your future.

If a car accident aggravated your pre-existing condition, the Law Offices of Gary Martin Hays & Associates is here to help. We've won cases just like yours and know what it takes to prove the full value of an aggravation injury. Don't let the insurance company minimize your pain or use your medical history against you.

[Contact us today](#) for a free consultation. We'll explain your rights and handle the fight for compensation so you can focus on healing.