

How Pre-Existing Back and Neck Conditions Affect Alabama Car Accident Claims

Having a prior injury doesn't mean you don't have a case

If you've been dealing with a bad back or a stiff neck for years before a [car accident](#), the insurance company's response to your injury claim may feel like a gut punch. The adjuster starts pulling your medical history. They find records showing you were treated for disc problems or neck pain long before the crash. Suddenly the conversation shifts from what the at-fault driver did to you to what was already wrong with you. It's a tactic, and it works; unless you understand how Alabama law actually handles these situations.

The truth is that millions of Americans are living with some degree of spinal degeneration, prior surgery, or chronic musculoskeletal pain before they're ever involved in a crash. The National Institutes of Health estimate that as many as [80 percent of adults](#) will experience low back pain at some point in their lives.

Having a pre-existing condition doesn't disqualify you from recovering compensation, but these claims do require a careful, evidence-backed approach. The attorneys at [Dean Waite & Associates, LLC](#) have handled these cases for over three decades, and we know exactly how insurance companies fight them.

What qualifies as a pre-existing condition in Alabama injury cases?

A pre-existing condition is any health issue that existed before the car accident in question. In the context of back and neck injury claims, the most common conditions our attorneys encounter include the following:

- **Degenerative disc disease (DDD):** A gradual breakdown of the spinal discs that cushion the vertebrae. Many people have DDD and don't know it until a crash causes an acute flare-up or rupture.
- **Prior herniated or bulging discs:** Whether from a previous car accident, a work injury, or normal aging, prior [herniated disc injuries](#) can be dramatically worsened by a collision.
- **Cervical spondylosis:** Age-related arthritis in the neck that often causes stiffness and reduced range of motion, and it becomes significantly more painful after a rear-end crash.

- **Previous spinal surgery:** A prior fusion or discectomy can leave the spine more vulnerable to re-injury. What would be a minor impact for most people can be catastrophic for someone with prior surgical hardware.
- **Chronic low back or neck pain:** Ongoing pain managed through medication, physical therapy, or periodic treatment is frequently used by insurance companies to argue that post-crash pain is simply 'more of the same.'

It's also worth noting that many people have undiagnosed spinal degeneration before a crash. These are conditions that were present on imaging but had never produced significant symptoms. When a collision turns a dormant condition into a disabling one, Alabama law still holds the at-fault driver accountable.

The eggshell plaintiff rule and why it protects you

Alabama follows a legal principle known as the [eggshell plaintiff rule](#), sometimes called the eggshell skull doctrine. The rule holds that a defendant must take the plaintiff as they find them. This means the at-fault driver is fully responsible for the harm they caused, even if the victim's pre-existing condition made the injury far more severe than it would have been for a healthier person.

For example, imagine a 58-year-old woman with a history of cervical spondylosis who is rear-ended at moderate speed. A 30-year-old with a healthy spine might walk away sore for a few days. The same collision sends this woman into a cascade of worsening symptoms that ultimately requires [surgery](#). Under Alabama's eggshell plaintiff rule, the at-fault driver is responsible for the full extent of her injuries, not some hypothetical lesser version that might have occurred to someone without her history.

What the eggshell rule doesn't do is allow recovery for the underlying pre-existing condition itself. The legal question is always what the car accident changed, not what was already there before the crash.

How Alabama law defines recoverable harm in these cases

When a crash aggravates a pre-existing back or neck condition, Alabama law focuses on three specific types of harm: aggravation, acceleration, and combination. Aggravation means the crash directly worsened an existing injury; a previously stable disc ruptures, or a manageable pain level becomes debilitating.

Acceleration means the crash sped up a degenerative process that would have unfolded gradually over years. Combination means the crash interacted with the existing

condition to produce an outcome worse than either the crash or the prior injury could have caused on its own.

In practical terms, this means that even if your spine was already showing signs of wear, you may have a valid claim for the additional harm caused by the at-fault driver's actions. The key is drawing a clear and documented line between where you were before the crash and where the crash left you.

How do insurance companies fight these claims?

Insurance adjusters don't accept these cases without a fight. When they identify a pre-existing condition in your medical history, the standard response is to argue that your current symptoms are simply a continuation of your prior condition and that the crash didn't cause your pain; it merely caught you in an already compromised state. It's a convenient argument, and without strong medical evidence, it can be effective.

One of the most common tools insurance companies use in these situations is the [independent medical examination](#) (IME). Despite the name, these examinations aren't neutral. The doctor who conducts the IME is selected and paid by the insurance company. The examining physician may spend only a few minutes with you, yet produce a report that attributes your post-crash condition entirely to your prior history.

Our attorneys prepare clients for IMEs and challenge unfavorable reports when the medical evidence tells a different story.

Building a strong case when you have a pre-existing condition

The foundation of any pre-existing condition case shows, through clear medical evidence, how your condition before the crash compares to your condition after it. The following types of evidence are typically central to these cases:

- Pre-accident and post-accident imaging, including MRIs, CT scans, and X-rays that show structural changes caused by the crash
- Testimony from your treating physician, who can explain in specific medical terms how the car accident changed your diagnosis, pain level, or treatment needs
- Independent expert testimony from orthopedic surgeons or neurologists who can distinguish between pre-existing degeneration and crash-caused aggravation
- Employment records that document your ability to work before the crash compared to your limitations after it

- Written statements from family members, coworkers, or friends who observed a clear change in your physical abilities and daily function
- A personal symptom journal tracking daily pain levels, functional limitations, and how they differ from what you experienced before the car accident

The goal is to make the before-and-after contrast impossible to ignore, not just in words, but in [documented medical and functional evidence](#).

Why honesty with your attorney matters more than you think

One of the most damaging things an injury victim can do in a pre-existing condition case is withhold information about their medical history from their attorney. Insurance companies request years of medical records as a standard part of the claims process. If your prior treatment history contradicts what you've said about your health before the crash, your credibility takes a hit that can be very difficult to recover from.

Disclosing your full history to our team isn't a disadvantage; it's a strategic necessity. When we know exactly what we're working with, we can build a case that acknowledges your prior condition honestly and then makes a compelling, evidence-based argument for why the accident made everything dramatically worse. We can also identify gaps in your treatment history that the defense might try to exploit, and help you address them before they become a problem.

Find out what your case is actually worth

A pre-existing back or neck condition doesn't weaken a legitimate injury claim; it complicates it. That's a meaningful difference, and it's one that requires experienced legal counsel to navigate correctly. The insurance company will use your medical history as a weapon if you let them. Dean Waite & Associates, LLC knows how to keep that from happening.

If you were hurt in an Alabama car accident and you're concerned about how a prior condition might affect your claim, [contact us](#) for a free case evaluation. We'll review your records, explain what Alabama law says about your situation, and give you an honest picture of the compensation you may be entitled to pursue.