

Can an Insurance Company Use a Recorded Statement Against You After a Texas Car Accident?

What You Say to the Insurance Company Can Affect Your Claim

The days after a serious car accident can be confusing. You may be dealing with pain, doctor visits, vehicle repairs, and missed work when an insurance adjuster calls and asks if you can answer a few questions about what happened.

The request may sound routine. The adjuster may even say the company simply needs your side of the story before it can move the claim forward. But if the conversation is recorded, your answers may later be compared with the police report, medical records, and other evidence in the case.

At [Coby L. Wooten, Attorney at Law, P.C.](#), we help injured Texans understand how insurance companies evaluate claims and where problems can arise. A recorded statement may seem harmless when you are trying to be cooperative, but a few uncertain or incomplete answers can give the insurer another reason to dispute fault or minimize your injuries.

What Is a Recorded Statement After a Car Accident?

A recorded statement is a formal conversation with an insurance adjuster in which your answers are recorded and preserved as part of the claim file.

The adjuster may ask about:

- **How the Crash Happened:** You may be asked where you were driving, how fast you were going, what you saw, and what happened immediately before impact.
- **What You Did After the Crash:** Questions may cover whether you spoke with the other driver, took photographs, or received medical attention.
- **Your Injuries:** The adjuster may ask where you hurt, when symptoms started, and whether your condition has improved.
- **Your Medical History:** Questions may involve prior injuries, previous crashes, or treatment involving the same part of the body.
- **Your Work and Daily Activities:** The insurer may ask whether you have missed work or whether your injuries have affected normal activities.

The problem is not the questions. It is that people are often asked to answer them before they know all the facts about the crash or understand the full extent of their injuries.

Do You Have to Give the Other Driver's Insurance Company a Recorded Statement?

No. You do not have a contractual relationship with the other driver's [insurance company](#), and you usually are not required to provide that insurer with a recorded statement simply because the adjuster asks for one, so be cautious.

That does not mean you should ignore legitimate claim communications. The insurer may still need basic information to evaluate the claim.

But there is an important difference between providing necessary information and agreeing to a recorded interview about fault, injuries, and medical history before you understand how your answers may be used.

What About a Recorded Statement to Your Own Insurance Company?

Your own insurer is different. An auto insurance policy is a contract, and the policy may require you to cooperate with the company while it investigates a claim. Texas law also contemplates insurers requesting information, statements, and forms needed to evaluate a claim.

That does not mean you should answer every question without thinking carefully about what is being asked.

The request may involve uninsured or underinsured motorist coverage, personal injury protection, or another part of your own policy. Before providing a detailed recorded statement, it can be helpful to review the request with an attorney and understand what your policy requires.

How Can a Recorded Statement Be Used Against You?

An adjuster may compare your recorded answers with every other piece of evidence in the claim. Small differences can become larger disputes when an insurance company is trying to reduce what it pays.

Recorded statements may be used to question:

- **Who Caused the Crash:** An uncertain answer about speed, traffic signals, or what you saw may be used to argue that you share some responsibility.
- **When Your Symptoms Began:** If you initially say you feel “mostly okay” but develop severe neck or back pain later, the insurer may point to the earlier statement when questioning whether the accident caused the injury.
- **How Serious the Injuries Are:** Casual phrases such as “I’m doing better” may be treated as evidence that you recovered even if you still have limitations.
- **Whether You Had Prior Injuries:** An incomplete answer about an earlier back, neck, or shoulder problem may create a credibility dispute if older medical records later show treatment.

- **How the Crash Affected Your Life:** Statements about work, exercise, or daily activities may be compared with a later claim for lost income or physical limitations.

One sentence rarely tells the whole story, but an insurer may still isolate it from the larger conversation if doing so helps its position.

Why Is It So Easy to Give an Inaccurate Answer After a Crash?

Most people do not leave a serious collision with a perfect memory of every second before impact.

A crash happens quickly. You may be shaken, injured, or unsure exactly where another vehicle came from. Days later, additional facts may become clear through photographs, witness statements, or the police investigation. Injuries can also change.

This is one reason statements given early in the claim can create problems later. The insurer may compare an incomplete first impression with medical information that became available only after more time passed.

Should You Say You Are “Fine” If an Adjuster Asks How You Are Doing?

It is better to describe your condition accurately rather than relying on casual expressions. People often say “I’m fine” or “I’m okay” out of habit. In an ordinary conversation, nobody would interpret those words as a medical diagnosis. An insurance claim can be different.

If you are experiencing pain, receiving treatment, or still do not know how serious your injuries are, saying you are “fine” can create an inaccurate picture of your recovery.

A more accurate response may simply acknowledge that you are still being evaluated or receiving treatment.

The goal is not to exaggerate an injury. It is to avoid minimizing something before doctors have had enough time to understand it.

Can a Recorded Statement Affect Fault Under Texas Law?

Yes. Texas uses a modified comparative responsibility system. Under [Texas Civil Practice and Remedies Code § 33.001](#), an injured person generally cannot recover damages if their percentage of responsibility is greater than 50 percent.

That makes statements about how the accident happened especially important. Even when another driver clearly made a mistake, an insurer may try to assign part of the blame to you because increasing your percentage of responsibility can reduce the damages you are able to recover.

This is one reason [car accidents that were not your fault](#) can still turn into disputed insurance claims.

What Should You Do If an Adjuster Asks for a Recorded Statement?

You do not have to make an immediate decision just because an adjuster calls.

Before agreeing to a recorded interview:

- **Ask Which Insurance Company the Adjuster Represents:** Your responsibilities may be different depending on whether you are dealing with your own insurer or the other driver's company.
- **Ask Why the Statement Is Being Requested:** Understanding the purpose can help clarify whether the request involves fault, medical treatment, or coverage under your own policy.
- **Do Not Guess:** If you are unsure about speed, distance, timing or another detail, do not fill in the gap simply because the adjuster expects an answer.
- **Do Not Minimize Your Injuries:** If you are still being evaluated, say so rather than making assumptions about how quickly you will recover.
- **Talk to Your Attorney First:** A lawyer can determine whether a statement is required and help you understand what issues may be important before the conversation takes place.

What If You Already Gave a Recorded Statement?

Do not assume you ruined your case. Giving a recorded statement does not automatically hurt your case or prevent you from recovering compensation.

Tell your lawyer when the statement was given and which insurance company recorded it. Your attorney can review it alongside the medical records, police report, and other evidence to address any statements the insurer may try to take out of context.

The important thing is to avoid giving additional explanations to the insurer before understanding what it is questioning.

Be Careful Before You Give the Insurance Company Your Words

A recorded statement can feel like an informal conversation, but the insurance company may preserve every answer and compare it with evidence gathered later.

At [Coby L. Wooten, Attorney at Law, P.C.](#), we deal directly with insurance companies, so our clients do not have to navigate important claim conversations alone. We review the evidence, document the full impact of the crash, and respond when an insurer tries to use an incomplete statement to shift blame or minimize legitimate injuries.

If an insurance company has asked you to provide a recorded statement after a Texas car accident, or you already gave one and are concerned about how it may affect your claim, [contact us](#) to discuss what happened and what steps you can take next.