

Professional construction of forensic medicine and insurance personal injury claims under the background of the new normal

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Abstract:

Objective: With the continuous changes in social production, the consumption thinking of the masses obviously cannot keep up with the speed of social development, and insurance disputes are increasingly emerging. Among them, the shortcomings of personal injury claims are not prominent, and the theoretical knowledge is not complete. In order to improve the quality of professional talents and reduce claims disputes, the feasibility of integrating forensic medicine into personal injury claims is explored. **Methods:** The professional attributes, subject attributes, knowledge system and employment data of forensic medicine are analyzed and compared with the actual work of personal injury claims. **Main results:** Forensic medicine has its uniqueness in on-site investigation, injury-disease relationship analysis, and resolution of doubts. It is irreplaceable by other subjects. The subject attributes are consistent with the personal injury claims major, and personal injury claims itself has basic medical courses, so it is easier to accept forensic medicine. **Conclusion:** Under the current social background, through the study of the forensic medicine system in the personal injury claims major, it has positive practical significance for its professional construction and talent training.

Keywords: insurance education; personal injury claims; forensic medicine

Competing interests:

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With the gradual deepening of my country's reform and opening up, the daily consumption patterns of the masses have undergone tremendous changes, which are manifested in the asymmetry between the solidified consumption concepts of the masses and the excessive consumption patterns. Among them, insurance products, as an important part of the economy, are increasingly closely related to the daily lives of the masses and have become consumer products that cannot be ignored. On the one hand, the purchase volume and dependence of consumers on insurance products have increased year by year, and compulsory traffic insurance, major disease insurance, accidental injury insurance, etc. have become indispensable products for the masses; on the other hand, ordinary consumers still have the wrong idea that "I must get compensation if I buy insurance products", and a very small number of people with ulterior motives take advantage of the loopholes in the professional knowledge of insurance claims personnel and regard insurance personal injury claims as a way to make money. By May 2017, the original insurance premium income of life insurance business was 1,371.739 billion yuan, a year-on-year increase of 32.65%, the original insurance premium income of health insurance business was 224.00 billion yuan, a year-on-year increase of 17.03%; the original insurance premium income of accident insurance business was 37.80 billion yuan, a year-on-year increase of 17.44%. Life insurance business paid 248.134 billion yuan, up 11.90% year-on-year; health insurance business paid 45.027 billion yuan, up 23.20% year-on-year; accident insurance business paid 8.383 billion yuan, up 18.01% year-on-year^[1]. It

can be seen that whether the disputes over personal injury claims can be properly handled is related to the normal development of the insurance industry and the national economy and the smooth operation of insurance services. At the same time, the highly professional nature of personal injury claims cases in insurance places strict requirements on the professional knowledge of the staff. The high professionalism of personal injury claims consists of two parts: one is to analyze the injury mechanism, causal relationship and injury trend through medical professional knowledge; the other is to solve legal problems involving medicine by linking medicine with law. This kind of professionalism is more like forensic medicine than medicine. There are about 100,000 claims adjusters in major insurance companies across the country, of which less than 3% have a medical background, and forensic professionals account for less than 0.0012% of the total. Through the comparison of the above data, it can be seen that forensic medicine professionals account for a very small proportion of personal injury claims personnel. It is extremely urgent to apply forensic medicine in the personal injury claims course system.

1. Disputes in personal injury claims remain high, and there is an urgent need for personal injury claims professionals with forensic expertise to intervene.

In recent years, with the popularization of Internet information technology and the improvement of consumers' awareness of rights protection, consumers can easily download the laws and regulations they need and the clinical manifestations of various diseases from the Int

ernet. When consumers make personal injury claims, they can forge various diseases that meet the provisions of the insurance contract, and sometimes it is difficult to distinguish the true from the false. Insurance personal injury claims often face a large amount of money, and the claims loopholes caused by the unprofessionalism of some claims adjusters make "scalpers" think it is profitable, so they contact some social appraisal institutions and doctors to jointly issue false judicial appraisals. Traditional clinical medicine can only make reasonable inferences about the diagnosis of the disease.

When facing artificial injuries, the inspection methods, methods and appraisal thinking are obviously insufficient. When facing the insured's disability level, the compensation is not accurate, and the compensation is improper. What's worse, because the teaching task of general medicine is mainly for patients, not involving corpses, when the object of appraisal is a corpse, it is powerless and helpless.

1.1 The backward concept of insurance claims for personal injury by consumers places psychological knowledge demands on claims adjusters

The long-term small peasant economy and backward consumption concept are rooted in the concept of ordinary consumers. In the long history of China's economic and social development, the self-sufficient consumption mode of small farmers has occupied the dominant position for a long time. This consumption mode, which is not for the purpose of commodity exchange, has a profound impact on the consumption concept of the masses. This consumption mode can still be seen in some rural areas of my country. At the same time, Chinese so-

ciety has not undergone a major capitalist transformation. The small peasant economy consumption concept of thousands of years is rooted in the bones of the masses and is difficult to change in a short period of time. Therefore, the general consumer group believes that the transaction of commodities must have direct returns, rather than opportunities.

Therefore, in the narrow mindset of ordinary consumers, there is a purchase and there is a gain. In layman's terms: if you buy insurance, you must pay money, and you must pay to the limit. Insurance products are different from general commodities. In most cases, general commodities are instant transactions, with money handed over and goods delivered on the other hand, while insurance product transactions are a kind of commitment transaction. The essence of the commitment is: if the insured person encounters an insurance accident stipulated in the insurance during the insurance period, the insurer will make insurance compensation or payment in accordance with the commitment. It can be seen that in the case of insurance product transactions, the insured can only obtain compensation from the insurance company if the insurance accident specified in the contract occurs within the specified time. In the face of such groups, claims personnel need to have certain communication skills and psychological knowledge. In psychology, in addition to studying general psychology courses, forensic students need to study criminal psychology courses, have more professional analytical skills for unreasonable demands, and be able to communicate with consumers more smoothly, clarify the insurance consumption relationship, and do a good job of consumer ideological work f

or claims work.

1.2 Consumers' weak legal awareness and their requirements for legal knowledge of claims adjusters

Under the influence of consumers' backward concept of personal injury claims, some consumers are very purposeful after personal injury claims occur, that is, the insurance company must make claims regardless of whether it is insurance liability. A small number of consumers deliberately forge claims materials such as injuries or work certificates in order to obtain higher insurance compensation. Some consumers even contact "scalpers" to defraud insurance compensation through fraudulent means. However, these people themselves have insufficient knowledge of relevant laws, and under the influence of backward consumption concepts, they are not ashamed of such fraudulent behavior, but proud of it. The more compensation amounts illegally obtained, the greater their ability. This kind of thinking is also fueled by the following thinking: first, consumers only think that defrauding private property is fraud, and have no sense of responsibility for "public" property; second, consumers think that they have already paid money and should have received compensation. In addition, the traditional thinking of individuals taking advantage of small gains - be greedy if you can, take whatever you can, has caused a lack of morality. When facing this group of consumers, it is particularly important to briefly explain the improper nature of their psychology and behavior when making claims, so that consumers can adjust their consumption mentality and the serious legal consequences they should bear. However, in the training curriculum system for ordinary clinical students, legal kn

owledge is seriously insufficient or even missing. On the contrary, the professional training program for forensic medicine students clearly states that law-related courses are studied as professional courses. Forensic medicine graduates can think about problems with more professional legal thinking and popularize legal knowledge for consumers. Therefore, compared with general medical graduates, forensic medicine graduates have stronger applicability in insurance claims.

1.3 The current non-correspondence of professional backgrounds of personal injury claims adjusters

As of May 2017, there are 414 insurance companies in my country. The professional background of personal injury claims adjusters is mainly medicine, but this professional background is very exaggerated. The professional background of personnel in personal injury claims positions includes clinical medicine, traditional Chinese medicine, medical insurance, laboratory science, pharmacy, nursing, forensic medicine, etc. The reason for this phenomenon of being so desperate is that the number of medical graduates is relatively small, and after graduation, they mainly go to hospitals, and rarely directly locate insurance companies as employment units. Here, let's take Shandong Province, a more typical province, as an example. Shandong Province is one of the provinces with a large number of medical schools in my country. There are 12 medical colleges in Shandong Province, 31 colleges and universities that offer medical majors, and 16 health schools. Among the medical graduates of colleges and universities, 98% of the students choose hospitals as their first employment unit, while the vast majority of medical students who choose the

insurance industry choose hospitals as their first employment intention. There are a total of 29 universities in the country that offer forensic medicine undergraduate programs. The number of forensic medicine graduates is relatively stable at around 1,160 per year. In 2016, the number of college graduates reached 7,560,000, and the total number of forensic medicine graduates accounted for only 0.015% of the total number of graduates. Based on the employment situation of forensic medicine undergraduates in Shandong Province in the past two years (as shown in Figures 1 and 2), it can be concluded that too few forensic medicine graduates and the relative lack of recognition of insurance employment positions have caused the complexity of the professional background of insurance personal injury claims practitioners, which in turn has led to uneven business capabilities.

2. The positive role of forensic medicine in the professional development of insurance personal injury claims

2.1 The high degree of unity between the research scope of forensic medicine and the work of insurance personal injury claims

Forensic medicine is the application of medicine, biology, physics and other natural sciences to solve medical problems in law ^[2]. In terms of its sub-disciplines, it can be divided into forensic clinical medicine, forensic pathology, forensic evidence science, forensic toxicology, etc. Insurance personal injury claims adjusters mainly use other disciplines such as medicine and physics to solve problems related to the health damage of the insured in insurance accidents. From the

above content, we can conclude that forensic medicine and insurance personal injury claims have a high degree of similarity in work content and job responsibilities. Some contents of forensic medicine (such as on-site investigation, physical evidence extraction, on-site mapping, video recording, etc.) have certain reference significance in personal injury claims and can promote the professionalization of investigation work. In terms of work content, the branches of forensic medicine that are most closely related to insurance personal injury claims are forensic clinical medicine and forensic pathology. The former mainly solves the problems of disability in personal injury claims, that is, the problems of living body identification, such as disability level, follow-up treatment costs, loss of work, medical accidents (disability), injury mechanism, etc.; the latter mainly solves the problems of death in personal injury claims, that is, corpse identification, such as cause of death identification, medical accident (death) identification, death causal relationship identification, etc. At present, due to the lack of professional teams and judicial appraisal qualifications, insurance companies entrust major diseases, accidental injuries, auto insurance personal injuries, traffic accident deaths and other cases to judicial appraisal institutions. They participate in the appraisal process, but because the surveyors do not have a medical professional background, they are relatively passive during the appraisal. In summary, in terms of professional definition, work content, and professional cooperation, it can be concluded that the research scope of forensic medicine is highly unified with insurance personal injury claims.

2.2 The difference between forensic

thinking and general medical thinking

In terms of training schools, forensic medicine, clinical medicine, medical laboratory testing, and traditional Chinese medicine are all trained in medical schools, and there is no general difference in the learning environment. In terms of the curriculum system, there is no difference in the first three years between forensic medicine and clinical medicine. Both are basic medical courses, and the thinking is relatively consistent. The node occurs in the fourth year. On the basis of learning clinical medicine courses (such as internal medicine, surgery, obstetrics and gynecology, pediatrics, otolaryngology, internal and external cervical science, etc.), forensic medicine students also learn basic forensic courses (such as forensic clinical medicine, forensic pathology, forensic evidence, criminal science and technology, etc.). It is worth mentioning that forensic medicine majors need to learn the following courses more from the sophomore to the junior year: criminal law, forensic law, criminal psychology, etc.; in terms of the teaching staff, the main teachers of clinical medicine and general medicine are clinical teachers. In addition to clinical teachers, forensic medicine teachers and front-line forensic doctors of the public security are also taught by them; in terms of internships, clinical medicine and general medicine internship units are all hospitals.

Forensic medicine is divided into two parts: one is hospital internship to familiarize yourself with the hospital's diagnosis and treatment process and treatment methods, and the other is internship in public security organs and judicial appraisal institutions to master the content and thinking of judicial appraisal. In addition to the professional course teaching

that instills different thinking from general medical disciplines in forensic students, internships in public security and judicial appraisal institutions have brought about essential changes in forensic students. Generally speaking, the focus of clinical medical students' thinking is on the cause and treatment of diseases, while the focus of forensic students' judicial thinking is on the relationship between injuries and diseases and the impact of such appraisals on various interest units. This kind of thinking plays an important role in the insurance injury claims: on the one hand, it fundamentally solves the relationship between injuries, diseases or deaths; on the other hand, it can predict the impact of the results on the insurance company, and can better predict and formulate response plans in time to reduce unnecessary compensation. It can be seen that the thinking of forensic students has certain similarities with clinical medical thinking, but the prediction of the interests of all parties based on the relationship between injuries and diseases and the appraisal results determines the essential difference between forensic medicine and clinical medicine, and the greater suitability of forensic medicine for insurance injury claims.

2.3 The methods used by forensic medicine to solve problems are different from those used by general medicine

Forensic medicine and clinical medicine serve different objects, face different populations, have different ultimate goals, and use significantly different inspection methods. In clinical practice, doctors mainly use medical knowledge and medical instruments to determine the cause and condition of the patient, including interviews, auscultation, palpation, path

ological examinations, biochemical examinations, etc. In forensic clinics, forensic physicians use clinical examination methods and examination instruments, as well as other tools to conduct examinations, such as determining a certain functional condition of the person being identified through video playback; admonishing the person being identified through psychology so that the patient can cooperate with the forensic staff's examination; or through contingency, making the person being identified perform normal actions in the subconscious mind, and then conducting an identification: a person being identified complained of hearing loss in both ears and could not recognize any external sound stimulation, and provided relevant examination materials. The appraiser analyzed the case and believed that the injury could not possibly damage the hearing, so he had doubts about this. After reviewing the examination materials, no obvious doubts were found. During the clinical examination, the person being identified said that he could not hear any sound and would not cooperate. At this time, the appraiser took advantage of the person being identified's inattention and threw 50 yuan at the feet of the person being identified, and said, "Whose money!" The person being identified responded conditionally, "My money." The incident was clearly captured by the monitor and used as one of the bases for identification. In the above cases, if a clinician conducts the examination, relevant instruments and equipment will be used for the examination, which takes a long time and is expensive. In addition, pure tone audiometry and auditory evoked potentials have certain unreliability, which is bound to be disadvantageous to the identification

n. However, forensic doctors can make full use of various resources and means to conduct examinations, which are fast and low-cost. Therefore, forensic medicine is different from general medicine. It is means of solving problems greatly saves costs and time to a certain extent, and is more suitable for the characteristics of the insurance industry, which has a large number of cases, fast processing speed, and the lowest possible processing cost.

To sum up, the high degree of unity between the research scope of forensic medicine and insurance personal injury claims, the essential difference between forensic thinking and general medical thinking, and the rapid and low-cost means of forensic medicine to solve problems have positive significance for the professional construction of insurance personal injury claims. Combining forensic knowledge with personal injury claims content, while broadening the knowledge of claims personnel, has brought new thinking, new methods and new opportunities for the development of claims in the insurance industry. In addition, based on the characteristics of forensic thinking and methods, the cost of insurance claims will also be reduced accordingly.

3.The practical operability of forensic medicine in the professional construction of personal injury claims

In the current insurance personal injury claims positions, medical graduates occupy the majority. These staff members have medical expertise and have made great contributions to loss reduction work. Among them, forensic medicine graduates can better adapt to job requirements after insurance expertise training compared with other medical majors. Under the same circumstances, they can

complete work tasks better, have stronger communication skills in claims, and have more extensive ways to obtain information, etc. These facts are sufficient to show that forensic medicine is practical in the construction of insurance personal injury claims. Apart from personal factors, the specific reasons are as follows:

3.1 Forensic medicine and insurance claims have the same attributes, both of which are applied disciplines. Forensic medicine belongs to applied medicine. Unlike general basic medicine, forensic medicine pays more attention to the practical operability of technology and the practical application of knowledge. In order to solve legal medical problems, the means of solution are not limited to one style, and medicine, physics, biology, etc. are often applied together. Insurance claims belong to insurance applied professional and technical disciplines. Graduates have clear employment positions and strong professionalism, but the medical research of this major is not in-depth enough, and the learning of theoretical and practical operation processes is relatively small. It is in urgent need of the inculcation of applied medical knowledge. Clinical medicine has the attribute of medical specialization, focusing on the treatment of injuries and diseases, and not on the scene, physical evidence and the relationship between injuries and diseases. Forensic medicine makes up for this medical defect. From receiving reports to on-site investigation and case sorting and summarization, it has a complete set of standardized processes, which is very similar to the insurance claims process, and has great continuity in professional connection. Therefore, forensic medicine is an applied medical discipline suitable for insurance claims.

3.2 The medical courses offered by the insurance personal injury claims major have made sufficient preparations for the opening of the forensic medicine major. The insurance personal injury claims major will involve a wide range of injuries, diseases, deaths, etc. in future work. Therefore, a large number of medical courses are included in the curriculum system, such as insurance medical foundation, anatomy, surgery, orthopedics, diagnosis, pharmacology, etc. The opening of these medical courses has laid a solid foundation for the study of forensic medicine theory. The study of forensic medicine is also a gradual process. Basic medicine and clinical medicine are the professional foundation of forensic medicine and are the only way to learn forensic medicine. Students of the insurance personal injury major can easily master forensic knowledge through the study of medical foundation and clinical foundation courses. Through the digestion and absorption of knowledge, they can integrate it with personal injury investigation and use it for their own benefit. Finally, in practical work, they can make professional analysis for the company's personal injury claims, death cases, and major disease cases, and properly handle them, making due contributions to the healthy development of the company in their positions.

3.3 Forensic course internship has laid a good foundation for the increasingly close communication between insurers' personal injury claims and judicial appraisal institutions. Under the current social background and economic conditions, when the insurers' personal injury claims involve cases such as disability and death, the courts or insurance companies generally entrust social judicial appraisal

al institutions to conduct appraisals, and the insurers' personal injury claims personnel and judicial appraisal personnel have close contact. Through the study and internship of judicial appraisal, it is beneficial for insurers' personal injury surveyors to master the actual methods and rules in judicial appraisal, and lay a good practical foundation for future judicial appraisal entrustment, communication, authenticity identification, and fabrication of disability. Most of the current judicial appraisal institutions are opened by individuals and market-oriented management. Some appraisal institutions, in order to pursue economic interests alone, have abandoned industry ethics and professional standards, and have obtained improper benefits by directly colluding with the person being appraised or contacting the person being appraised through "scalpers", which has brought severe challenges to the healthy development of the insurance industry. Through the study and internship of forensic medicine, staff can minimize the adverse effects of judicial appraisal in their future work and safeguard the legitimate interests of the company.

4. The Purpose of Forensic Medicine in Training Insurance Injury Claims Adjusters

The application of forensic medicine in insurance personal injury claims mainly solves the problems of weak medical foundation, unclear thinking and insufficient technical means of insurance personal injury claims personnel. Targeted strengthening of professional course knowledge of forensic medicine and insurance personal injury claims is conducive to making full use of students' time in school and avoiding the waste of campus learning time; it is conducive to the rapi

d entry of fresh students into the role after employment and increasing the adaptability of new employees; it is conducive to safeguarding the legitimate interests of the company, making consumers fully understand and avoiding unnecessary disputes. Forensic medicine and insurance personal injury claims complement each other and make up for each other. On the one hand, insurance personal injury claims rely on forensic medicine to complete the claims work and solve the claims doubts. On the other hand, forensic medicine uses insurance personal injury claims to improve the subject content and increase its application ability. Therefore, the purpose of forensic medicine in insurance personal injury claims is to apply forensic professional knowledge to solve the contents of personal injury, major diseases, death cases and other contents in insurance personal injury claims, prevent fraud in medical cases, and protect the legitimate interests of the company from loss.

The construction of forensic medicine in the professional construction of personal injury claims of insurance needs to clarify a misunderstanding. Here we talk about the many advantages of forensic medicine in the application of personal injury claims, not to let forensic medicine graduates directly enter the personal injury claims position to handle related cases without insurance knowledge training. Through the employment situation of forensic medicine graduates in Shandong Province from 2015 to 2016, we can know that the employment rate of forensic medicine students in the insurance industry is not high. The main reason is that they have insufficient understanding of insurance and low recognition of the insurance industry. After five ye

ars of training in medical schools, the knowledge they have learned is basically basic medicine, clinical medicine, and forensic medicine knowledge. The curriculum system does not involve insurance content. In addition to the influence of the learning and internship environment, the overall recognition of students for their work units is mainly administrative units such as public security, procuratorial and judicial organs, followed by public institutions such as hospitals, and insurance companies are considered last. Therefore, we emphasize that the purpose of forensic medicine training for insurance personal injury claims personnel is to learn advanced forensic technology and experience, learn the thinking of handling cases, and make forensic medicine truly used for insurance medicine.

The growth and development of China's insurance industry cannot be achieved without strong talent guarantee and intellectual support. The teaching quality and effect of full-time insurance education in colleges and universities depends on the rationality and scientific nature of the discipline construction^[3]. The integration of forensic medicine into the study of insurance personal injury claims has great significance for the professional construction and talent training of insurance personal injury claims. In terms of professional construction, it can improve the overall level of professional school management and management, improve the quality of professional talent training, become a characteristic major, and demonstrate and drive the construction of related professional groups; in terms of talent training, it can cultivate a group of personal injury claims adjusters with high-level practical medical knowledge, who can professionally and quickly

engage in practical work such as on-site investigation, causal analysis of injuries and disabilities, and compensation. Strengthening the effective combination of insurance personal injury claims and forensic medicine has great positive significance for the construction of insurance disciplines. At the same time, it can push the professional construction of insurance talents to a new level and provide strong talent support for the development of China's large insurance industry.

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