

# **The Testimony of Dalene McElhaney**

**Date:** February 2, 2015

Yes on Senate Bill 411

1 MS. MCELHANEY: On October 30, 2011, I was in an  
2 automobile accident. It was a head-on accident. I  
3 had a driver coming towards me on Highway 26 just  
4 outside of Madras, two-land highway. And I saw her  
5 coming and saw her veer off the side of the highway  
6 and she over-corrected and she came into my lane and  
7 hit me head-on. And that -- it -- it just ended up  
8 having me trapped in the car. My children were also  
9 in the vehicle. And we were knocked off the highway  
10 and I had to be cut out of the vehicle with Jaws of  
11 Life.

12 Well, as you can imagine, 23 nights in the  
13 hospital is quite a bit of money. The -- the titanium  
14 in -- that's in my legs and my hip amounted to about  
15 \$35,000 itself. That's without doctor expenses or  
16 anything. Then, of course, the surgery, 23 nights in  
17 the hospital. It came out to about \$285,000. I ended  
18 up using up my limit on my physical therapy, so I  
19 ended up having to spend money out of my own pocket  
20 for physical therapy. I spent about \$1,000 out of my  
21 own pocket to cover what was not covered with my  
22 insurance.

23 And then when I looked at -- or when I found out  
24 about the car insurance, I had paid all of my premiums  
25 and I had my uninsured, underinsured motorist coverage

1 of \$300,000, which I thought would go into play when  
2 somebody did not have enough coverage to pay for  
3 medical expenses.

4 MS. ANDERSON: So you actually paid for the extra  
5 coverage?

6 MS. MCELHANEY: So I paid for extra coverage,  
7 yes. In Oregon, I'm -- I'm only required to carry, I  
8 believe, it's \$25,000. And the gal that hit me had  
9 \$100,000 coverage. So when I heard that her \$100,000  
10 was not adequate, I thought, okay, well, then, my  
11 insurance will kick in and pay the rest. And I found  
12 out that's not so. And so I was left, then, with  
13 another \$185,000 to try to figure out how to pay for  
14 it. And so, you know, when I was trying to heal, and  
15 when I heard this news, it was just devastating. And,  
16 you know.

17 MS. ANDERSON: So how did you get through it?

18 MS. MCELHANEY: Sorry. With a lot of help from  
19 family. I had to live with family. And -- sorry.

20 MS. ANDERSON: It's okay, Dee.

21 MS. MCELHANEY: It's quite a struggle.

22 MS. ANDERSON: Yeah.

23 MS. MCELHANEY: As you can see.

24 MS. ANDERSON: Absolutely. It's emotional.

25 MS. MCELHANEY: Reliving it still three years

1 later.

2 MS. ANDERSON: Yeah. So you're speaking to a  
3 roomful of legislatures right now.

4 MS. MCELHANEY: Okay.

5 MS. ANDERSON: What would you like them to know?  
6 What -- what would you like them to do?

7 MS. MCELHANEY: Well, I'd like them to pass this  
8 bill so other people -- they don't have to go through  
9 what I've gone through. It's enough when you're  
10 dealing with such a tragedy. This was a fatal  
11 accident and I had to deal with the psychological  
12 effects. The fact that a 17-year-old girl was killed  
13 in the accident. It was an accident that was not my  
14 fault. I shouldn't have had to pay a dime for  
15 anything. I -- I've paid enough having to go through  
16 the emotional trauma. But then I also had to go  
17 through the concern over the financial aspect of  
18 things and I just don't want to see other people go  
19 through it.

20 MS. ANDERSON: Thank you, Dee-Dee

21

22 (END OF TESTIMONY.)

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