

Amendment No. 5 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	
5			ORIGINAL STAMP BELOW
6			
7			
8			
9			
10			
11	Representative(s) Bainter offered the following:		
12			
13	Amendment (with directory language and title		
14	amendments)		
15	On page 9, between lines 30 & 31 of the bill		
16			
17	insert:		
18	(b) Only a catastrophic injury as defined in s. 440.02		
19	shall, in the absence of conclusive proof of a substantial		
20	earning capacity, constitute permanent total disability. Only		
21	claimants with catastrophic injuries <u>may be</u> are eligible for		
22	permanent total benefits. <u>A substantial earning capacity shall</u>		
23	<u>be presumed if the claimant is able to earn the lesser of:</u>		
24	<u>1. The wages earned at the time of the injury, or</u>		
25	<u>2. The greater of \$500 a month or the monthly amount</u>		
26	<u>specified in title 20, part 404, section 1574(b)(2) of the</u>		
27	<u>Code of Federal Regulations.</u>		
28			
29	In no other case may permanent total disability be awarded.		
30			
31			

Amendment No. 5 (for drafter's use only)

1 == D I R E C T O R Y L A N G U A G E A M E N D M E N T ==
2 And the directory language is amended as follows:
3 On page 9, lines 25 & 26
4 remove: all of said lines
5
6 and insert in lieu thereof:
7 Section 8. Paragraphs (b) and (f) of subsection (1) of
8 section 440.15, Florida Statutes, 1998 Supplement, are amended
9 to read:
10
11
12 ===== T I T L E A M E N D M E N T =====
13 And the title is amended as follows:
14 On page 1, line 24
15
16 after the semicolon insert:
17 providing a presumption;
18
19
20
21
22
23
24
25
26
27
28
29
30
31