

By the Committee on Health, Aging, and Long-Term Care; and  
Senator Crist

317-2243-03

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A bill to be entitled  
An act relating to Hillsborough County;  
providing for the relief of James T. Edwards  
for injuries suffered as a result of negligence  
of Hillsborough County; providing for repayment  
of Medicaid lien; providing for the use of the  
funds; providing an effective date.

WHEREAS, in an incident occurring on May 31, 1997,  
James T. Edwards was severely and permanently injured as a  
result of the negligence of Hillsborough County, in that the  
county failed to immobilize Edwards' head, neck, and spine  
while transporting Edwards to the hospital, and

WHEREAS, as a result of that negligence, James T.  
Edwards sustained injuries to his spinal cord which have  
resulted in complete and permanent paralysis to his legs, and

WHEREAS, James T. Edwards instituted a lawsuit against  
Hillsborough County as a result of such injuries, which  
lawsuit was scheduled to be tried beginning August 5, 2002,  
and

WHEREAS, before commencement of the trial, James T.  
Edwards and Hillsborough County entered into a settlement  
agreement in the amount of \$2,500,000 under which the county  
would pay to Edwards \$100,000 and support the passage of a  
claim bill to provide for payment of the balance of the  
settlement amount, NOW, THEREFORE,

Be It Enacted by the Legislature of the State of Florida:

Section 1. The facts stated in the preamble to this  
act are found and declared to be true.

1           Section 2. The Hillsborough County Board of County  
2 Commissioners is authorized and directed to appropriate from  
3 funds of the county not otherwise appropriated, and to draw a  
4 warrant in the sum of, \$2,400,000, which amount includes  
5 statutory attorney's fees and costs, for the benefit of James  
6 T. Edwards.

7           Section 3. The government entity responsible for  
8 payment of the warrant shall pay to the Florida Agency for  
9 Health Care Administration the amount due under section  
10 409.910, Florida Statutes, prior to disbursing any funds to  
11 the claimant. Any remaining proceeds shall be placed in the  
12 Special Needs Trust created for the exclusive use and benefit  
13 of James T. Edwards, to compensate him for injuries and  
14 damages sustained.

15           Section 4. This act shall take effect upon becoming a  
16 law.

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18                           STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
19   COMMITTEE SUBSTITUTE FOR  
20   Senate Bill 30

21 The Committee Substitute directs payment of any remaining  
22 funds to a special needs trust for the benefit of James T.  
23 Edwards and makes conforming changes.  
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