



HB 0379

2003

31 WHEREAS, on May 25, 1999, Amanda Johnson was again
32 hospitalized and, after a pre-operative diagnosis of
33 hypertrophic nonunion of the left femoral shaft, she
34 subsequently underwent a second surgery, receiving open-
35 compression plating of the left femoral hypertrophic nonunion,
36 with bone biopsy and culture, and

37 WHEREAS, Amanda Johnson, as a result of the injury, has a
38 left femoral overgrowth, resulting in a limb-length discrepancy
39 that had increased to 2.2 centimeters by February 5, 2002, and

40 WHEREAS, Amanda Johnson currently must use a 1/2-inch shoe
41 lift and may require future epiphysiodesis of the elongated left
42 femur, and

43 WHEREAS, Amanda Johnson is receiving continuing medical
44 care following the injury, and

45 WHEREAS, Amanda Johnson has incurred medical expenses
46 totaling \$85,762.53, will require future orthopedic visits, and
47 may require future surgery, hospitalization, and physical
48 therapy, and

49 WHEREAS, as a result of a suit filed following the
50 collision, the Indian River County School Board admitted
51 liability for the collision, and, following mediation on
52 February 27, 2002, the parties agreed to a final settlement of
53 all claims in exchange for the payment of \$287,500 to be paid in
54 four annual installments, and

55 WHEREAS, as part of the settlement, the Indian River County
56 School Board agreed that, following the submission and approval
57 of the settlement at a noticed school board meeting, the board
58 will join Amanda Johnson in the submission of a claim bill to
59 the Legislature, NOW, THEREFORE,

60



HB 0379

2003

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

62

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

65 Section 2. The Indian River County School Board is
66 authorized and directed to appropriate from funds of the school
67 board not otherwise appropriated and to draw four annual
68 warrants in the amount of \$71,875 each, for a total settlement
69 of \$287,500, payable after July 1, 2003, to Virginia Johnson and
70 Charles Johnson, as parents and natural guardians of Amanda
71 Johnson, as compensation for injuries and damages sustained by
72 Amanda Johnson, minor child of Virginia Johnson and Charles
73 Johnson, due to the negligence of the Indian River County School
74 Board. Such funds are to be deposited into a restricted
75 guardianship account established for the exclusive use and
76 benefit of Amanda Johnson, and are inclusive of costs and
77 attorney's fees as limited by s. 768.28(8), Florida Statutes.

78 Section 3. This act shall take effect upon becoming a law.