



HB 0817

2003
CS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

CHAMBER ACTION

The Committee on Judiciary recommends the following:

Committee Substitute

Remove the entire bill and insert:

A bill to be entitled

An act relating to Hillsborough County; providing for the relief of James T. Edwards; providing for an appropriation to compensate him for injuries suffered as a result of the negligence of Hillsborough County; providing for repayment of Medicaid lien; providing for the use of 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 James T. Edwards' head, neck, and spine while transporting him 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



HB 0817

2003
CS

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

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

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. The facts stated in the preamble to this act
40 are found and declared to be true.

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

47 Section 3. The governmental entity responsible for payment
48 of the warrant shall pay to the Florida Agency for Health Care
49 Administration the amount due under s. 409.910, Florida
50 Statutes, prior to disbursing any funds to the claimant. Any
51 remaining proceeds shall be placed in the Special Needs Trust
52 created for the exclusive use and benefit of James T. Edwards to
53 compensate him for injuries and damages sustained.

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