

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>      </u>	(Y/N)
ADOPTED AS AMENDED	<u>      </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>      </u>	(Y/N)
FAILED TO ADOPT	<u>      </u>	(Y/N)
WITHDRAWN	<u>      </u>	(Y/N)
OTHER	<u>      </u>	

1 Committee/Subcommittee hearing bill: Civil Justice & Property  
 2 Rights Subcommittee  
 3 Representative Aloupis offered the following:

**Amendment**

Remove lines 72-101 and insert:

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

9 Section 2. Miami-Dade County is authorized and directed to  
 10 appropriate from funds of the county not otherwise encumbered  
 11 and draw a warrant in the sum of \$3.8 million payable to Heather  
 12 Hasandras, as guardian of the property of Yeilyn Quiroz Otero,  
 13 to be placed in a special needs trust created for the exclusive  
 14 use and benefit of Yeilyn Quiroz Otero. The balance remaining  
 15 after the payment of statutory attorney fees and costs must be  
 16 used to purchase an appropriate structured financial plan, the

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17 proceeds of which must be deposited into a special needs trust  
18 created for the exclusive use and benefit of Miss Quiroz Otero.  
19 Upon the death of Miss Quiroz Otero, any funds remaining in the  
20 special needs trust after reimbursing Medicaid funds shall  
21 revert to the Agency for Health Care Administration.

22 Section 3. The amount paid by Miami-Dade County pursuant to  
23 section 768.28, Florida Statutes, and the amount awarded under  
24 this act are intended to provide the sole compensation for all  
25 present and future claims arising out of the factual situation  
26 described in this act which resulted in injuries and damages to  
27 Yeilyn Quiroz Otero. The total amount paid for attorney fees  
28 relating to this claim may not exceed \$760,000, the total amount  
29 paid for lobbying fees may not exceed \$190,000, and the total  
30 amount paid for costs or other similar expenses may not exceed  
31 \$12,275.05.

32 Section 4. Excluding the federal portions of any liens,  
33 Medicaid or otherwise, which the claimant must satisfy pursuant  
34 to section 409.910, Florida Statutes, it is the intent of the  
35 Legislature that the lien interests relating to the care and  
36 treatment of Yeilyn Quiroz Otero are hereby waived and  
37 extinguished.

38 Section 5. This act shall take effect upon becoming a law.