

Committee Substitute for Senate Bill No. 30

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.

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

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

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

Approved by the Governor June 23, 2003.

Filed in Office Secretary of State June 23, 2003.