



**THE FLORIDA SENATE**  
**SPECIAL MASTER ON CLAIM BILLS**

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October 23, 1998

<u>SPECIAL MASTER'S FINAL REPORT</u>	<u>DATE</u>	<u>COMM</u>	<u>ACTION</u>
The Honorable Toni Jennings President, The Florida Senate Suite 409, The Capitol Tallahassee, Florida 32399-1100	11/25/98	SM CJ FR	

Re: SB 42 - Senator Pat Thomas  
Relief of James H. Scott

THIS IS A CLAIM FOR PERSONAL INJURIES SUSTAINED BY CLAIMANT IN A HELICOPTER CRASH THAT OCCURRED WHILE HE WAS AN EMPLOYEE OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT.

FINDINGS OF FACT:

Mr. James H. Scott was an employee of the Florida Department of Law Enforcement (FDLE), an agency of the State of Florida. The FDLE is an agency created pursuant to §20.201, F.S.

On June 26, 1995, as Mr. Scott was working as a special agent and was a passenger on a FDLE helicopter performing his on the job duties. The helicopter suddenly dropped approximately 500 feet to the ground. Richard Neilsen, also a state employee, was the pilot of the helicopter.

MEDICAL INJURIES:

Diagnostic testing showed a fracture on T12 which was stabilized with instrumentation and bone grafting from T9-L3. Mr. Scott is currently experiencing weakness in both lower extremities and ongoing thoracic and low back pain. He is currently being treated by Dr. Freesmeier.

As of October 20, 1998, medical expenses of \$319,743 have been paid. An additional \$70,958 has been paid in compensation benefits. The Division of Risk Management,

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Department of Insurance, accepted the claimant as permanently and totally disabled, September 30, 1998, retroactive to May 29, 1998, based upon the 60 percent impairment rating given by Dr. Mladen Antolic. Permanent Total Disability benefits are being paid bi-weekly in the amount of \$988.

INSURANCE COVERAGE: The FDLE is a member of the state agency group which is self-insured via the State of Florida. The State of Florida self-insures its workers' compensation coverage.

SETTLEMENT STIPULATION: On October 15, 1998, the Claimant's Senate sponsor, Senator Thomas, sent a letter to Faye Blanton, Secretary of the Senate, which stated the sponsor's intent to withdraw SB 42 for the expressed reason that the bill was not ripe for the upcoming session. Potential third party liability is currently being investigated by the Claimant's legal counsel.

RECOMMENDATIONS: No recommendation is necessary, as the bill is scheduled to be withdrawn on the opening day of session, and no further action by the Senate is necessary.

Respectfully submitted,

Mark W. Casteel  
Senate Special Master

cc: Senator Pat Thomas  
Faye Blanton, Secretary of the Senate