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Pinellas County

Staff Report

File #: 22-0785A, **Version:** 1

Agenda Date: 5/24/2022

Subject:

Proposed settlement in the case of Robert Burns v. Pinellas County Sheriff's Office; Workers' Compensation, Office of the Judges Compensation Claims Case No. 13-018207RLY.

Recommended Action:

Consideration of the proposed settlement in the case of Robert Burns v. Pinellas County Sheriff's Office.

Strategic Plan:

N/A

Summary:

The above-referenced case is being brought to the Board of County Commissioners for consideration in accordance with the confidential memorandum dated May 24, 2022.

Background Information:

N/A

Fiscal Impact:

Unknown.

Staff Member Responsible:

Jewel White, County Attorney
Christy Donovan Pemberton, Managing Assistant County Attorney
Kelly L. Vicari, Senior Assistant County Attorney
Merry Celeste, Division Director, Purchasing and Risk Management, Administrative Services

Partners:

Bob Gualtieri, Sheriff of Pinellas County

Attachments:

N/A



Pinellas County

315 Court Street, 5th Floor
Assembly Room
Clearwater, Florida 33756

Staff Report

File #:

Agenda Date: 5/24/2022

Subject:

Proposed settlement in the case of Robert Burns v. Pinellas County Sheriff's Office; Workers' Compensation, Office of the Judges Compensation Claims Case No. 13-018207RLY.

Recommended Action:

Approve the proposed settlement in the amount of \$102,907.00 to settle the Workers' Compensation case of Robert Burns v. Pinellas County Sheriff's Office.

Strategic Plan:

N/A

Summary:

Claimant was diagnosed with a medical condition on January 11, 2013, which was deemed compensable under Workers' Compensation. He was employed as a deputy with the Pinellas County Sheriff's Office at the time and has since retired. Claimant has been treated under Workers' Compensation consistently from 2013 to the present. He is 63 years old and not a Medicare beneficiary. A Medicare-Set-Aside (MSA) was obtained in anticipation of settlement negotiations totaling \$92,870.00. The MSA does not require approval by the Centers for Medicare and Medicaid. Under the Workers' Compensation statute, the statutory attorney's fee for settlement of the MSA is \$10,037.00. The Pinellas County Sheriff's Office has approved settlement of the MSA in addition to the statutory attorney's fee for a total of \$102,907.00.

It is recommended that settlement authority be granted in the amount of \$102,907.00 to settle the claim, which will result in the Claimant no longer being treated under Workers' Compensation. The Third-Party Administrator, Pinellas County Sheriff's Office and County Administration concur with this recommendation.

Background Information:

N/A

Fiscal Impact:

Total amount of claim to be paid by Pinellas County is \$102,907.00.

Staff Member Responsible:

Jewel White, County Attorney
Christy Donovan Pemberton, Managing Assistant County Attorney
Kelly L. Vicari, Senior Assistant County Attorney
Merry Celeste, Division Director, Purchasing and Risk Management, Administrative Services

Partners:

Bob Gualtieri, Sheriff of Pinellas County

Attachments:

N/A