

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

SABRINA BARONE JOSTES,  
individually and as parent and  
next friend of ROMAN BARONE, a  
minor,

Petitioner,

Case No. 10-2998N

vs.

FLORIDA BIRTH-RELATED  
NEUROLOGICAL INJURY COMPENSATION  
ASSOCIATION,

Respondent.

\_\_\_\_\_ /

FINAL ORDER APPROVING STIPULATION

This cause came on for consideration upon the Stipulation Pertaining to Lump Sum Payment for Bathroom and/or Handicap Modifications of Dwelling (Stipulation) filed with the Division of Administrative Hearings on October 25, 2016, by Petitioner, Sabrina Barone Jostes and Respondent, Florida Birth-Related Neurological Injury Compensation Association.

Petitioner and Respondent have come to an agreement regarding a claim filed by Petitioner for bathroom and/or handicap modifications. They have agreed as follows:

2. Respondent agrees to pay to Petitioner \$30,000.00 as a one-time only, lump sum payment for any and all bathroom and/or handicap modifications forever required for any residence.

3. Petitioner agree(s) and accept(s) this one-time payment as a full and final payment towards bathroom and/or handicap modifications to his/her/their current house located at 1097 N. SERVICE ROAD WEST, ST. CLAIRE, MISSOURI, 63077, and agrees that said payment precludes Petitioner's entitlement to any future payment from NICA for bathroom and/or handicap modifications for this house or any other house purchased, built or rented or lived in by Petitioner(s) in the future. Should Petitioner(s) elect to move or have any other modifications performed to his/her/their current home, or any other home purchased, built, rented or lived in by Petitioner(s), any future modifications will be solely at Petitioner's expense.

After due consideration of the interests of the parties, and being otherwise fully advised in the premises, it is

ORDERED:

1. Petitioner's and Respondent's Stipulation is approved.
2. The parties shall abide by the terms of the Stipulation.

DONE AND ORDERED this 26th day of October, 2016, in Tallahassee, Leon County, Florida.



---

BARBARA J. STAROS  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(850) 488-9675  
Fax Filing (850) 921-6847  
[www.doah.state.fl.us](http://www.doah.state.fl.us)

Filed with the Clerk of the  
Division of Administrative Hearings  
this 26th day of October, 2016.

COPIES FURNISHED:  
(via certified mail)

Kenney Shipley, Executive Director  
Florida Birth Related Neurological  
Injury Compensation Association  
2360 Christopher Place, Suite 1  
Tallahassee, Florida 32308  
(eServed)  
(Certified Mail No. 7012 3050 0001 0080 6199)

Sabrina Barone Jostes  
1097 North Service Road West  
St. Claire, Missouri 63077  
(Certified Mail No. 7012 3050 0001 0080 6205)

Amie Rice, Investigation Manager  
Consumer Services Unit  
Department of Health  
4052 Bald Cypress Way, Bin C-75  
Tallahassee, Florida 32399-3275  
(Certified Mail No. 7012 3050 0001 0080 6212)

Justin Senior, Interim Secretary  
Health Quality Assurance  
Agency for Health Care Administration  
2727 Mahan Drive, Mail Stop 1  
Tallahassee, Florida 32308  
(eServed)  
(Certified Mail No. 7012 3050 0001 0080 6229)

NOTICE OF RIGHT TO JUDICIAL REVIEW

Review of a final order of an administrative law judge shall be by appeal to the District Court of Appeal pursuant to section 766.311(1), Florida Statutes. Review proceedings are governed by the Florida Rules of Appellate Procedure. Such proceedings are commenced by filing the original notice of administrative appeal with the agency clerk of the Division of Administrative Hearings within 30 days of rendition of the order to be reviewed, and a copy, accompanied by filing fees prescribed by law, with the clerk of the appropriate District Court of Appeal. See § 766.311(1), Fla. Stat., and Fla. Birth-Related Neurological Injury Comp. Ass'n v. Carreras, 598 So. 2d 299 (Fla. 1st DCA 1992).