

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

AMBER PARKER, on behalf of and
as parent and natural guardian
of BLADEN WORLEY, a minor,

Petitioner,

vs.

Case No. 14-1667N

FLORIDA BIRTH-RELATED
NEUROLOGICAL INJURY COMPENSATION
ASSOCIATION,

Respondent,

and

ORLANDO HEALTH, INC., d/b/a
WINNIE PALMER HOSPITAL FOR WOMEN
& BABIES AND JAYASRI
BUKKAPATNAM, M.D.,

Intervenors.

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FINAL ORDER APPROVING STIPULATION FOR ENTRY OF AWARD

This cause came on for consideration pursuant to sections 766.304 and 766.305(7), Florida Statutes, upon the Stipulation and Joint Petition for Compensation of Claim Arising out of Florida Birth-Related Neurological Injury Pursuant to Chapter 766, Florida Statutes (Stipulation and Joint Petition), filed with the Division of Administrative Hearings on September 24, 2014, for the entry of an order approving the resolution of a claim for compensation benefits filed in accordance with the

provisions of chapter 766 and a resolution of the exclusive remedy otherwise available as outlined in chapter 766.

By the terms of their stipulation, Petitioner, Amber Parker, on behalf of and as parent and natural guardian of Bladen Worley, a minor; Respondent, the Florida Birth-Related Neurological Injury Compensation Association (NICA); and Intervenors, Orlando Health, Inc., d/b/a Winnie Palmer Hospital for Women and Babies and Jayasri Bukkapatnam, M.D., have agreed that Amber Parker is the parent and legal guardian of Bladen Worley (Bladen), a minor; that Amber Parker is the "Claimant" as defined by section 766.302(3); that Bladen was born a live infant on or about April 11, 2013, at Winnie Palmer Hospital, a "hospital" as defined by section 766.302(6) located in Orlando, Florida; and that Bladen's birth weight exceeded 2,500 grams. The Parties have further agreed that Jayasri Bukkapatnam, M.D., provided obstetrical services at Bladen's delivery and, at all material times, was a "participating physician" in the Florida Birth-Related Neurological Injury Compensation Plan, as defined by section 766.302(7). The Parties have agreed that Bladen suffered a "birth-related neurological injury," as that term is defined by section 766.302(2), which was the sole and proximate cause of Bladen's permanent and substantial mental and physical impairments.

It is ORDERED:

1. The Stipulation and Joint Petition filed on September 24, 2014, is hereby approved, and the Parties are directed to comply with the provisions of the Stipulation and Joint Petition.

2. Petitioner, Amber Parker, as the parent and natural guardian of Bladen Worley, a minor, is awarded one hundred thousand dollars (\$100,000.00), pursuant to section 766.31(1)(b)1., to be paid as periodic payments to the parent; payment of benefits up to and including the effective date of the Joint Stipulation and Petition pursuant to section 766.31(1)(a), subject to the provisions of paragraph 19 of the Stipulation and Joint Petition; and payment of future expenses as incurred.

3. Upon the payment of the award of \$100,000.00, and past benefit/expenses, the claims of Petitioner shall be deemed fully satisfied and extinguished, except for Respondent's continuing obligation under section 766.31(2) to pay future expenses as incurred.

4. The Division of Administrative Hearings retains jurisdiction over this matter to resolve any disputes, should they arise, regarding the parties' compliance with the terms of this Order.

DONE AND ORDERED this 26th day of September, 2014, in
Tallahassee, Leon County, Florida.



BARBARA J. STAROS
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 26th day of September, 2014.

COPIES FURNISHED:
(via certified mail)

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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).