

FLORIDA DEPARTMENT OF INSURANCE  
FLORIDA MEDICAL PROFESSIONAL LIABILITY  
INSURANCE CLAIMS REPORT

8703150

DEPARTMENT FILE NO. \_\_\_\_\_  
INSURER'S CLAIM NO. 84 SF 39

BUREAU OF RATES

PRIMARY INSURER NAME: THE STAFF FUND, INC. INSURER CODE: 4, 4, 0, 4, 0  
(See Table A)

EXCESS INSURER NAME: \_\_\_\_\_ INSURER CODE: \_\_\_\_\_  
(See Table A)

INSURED'S NAME: LIMPERIS NICHOLAS M. M. D.  
(Last Name, First and Middle Name)

STREET ADDRESS: 4701 North Federal Highway

CITY, STATE: Et Lauderdale FLORIDA ZIP: 33308 COUNTY CODE: 1, 0  
(See Table B)

	<u>POLICY NUMBER</u>	<u>PER CLAIM POLICY LIMITS</u>	<u>AGGREGATE POLICY LIMITS</u>
PRIMARY INSURER:	<u>1976-244</u>	<u>\$1,000,000 .00</u>	<u>\$ .00</u>
EXCESS INSURER :	_____	<u>\$ _____</u>	<u>\$ _____</u>

Is the insured physician a Foreign Medical Graduate? If yes, enter the country in which primary medical education was received:  
X (01) Yes  
X (02) No

PROFESSION OR BUSINESS: (Check one)  
X (01) Physicians & Surgeons    \_\_\_ (04) Other Medical Professionals    \_\_\_ (07) Other Health Care Facilities  
\_\_\_ (02) Hospitals    \_\_\_ (05) Clinics  
\_\_\_ (03) Podiatrists    \_\_\_ (06) Ambulatory Surgical Centers

SPECIALTY CODE: 8, 0, 2, 4, 9 (Applies to physicians, surgeons, and other health care professionals.  
(See Table C) Use ISO Common Statistical Base Classification Codes.)

BOARD CERTIFICATION: (Check one)  
X (01) In specialty coded in Item 7, above.  
\_\_\_ (02) In a different specialty.  
\_\_\_ (03) In the specialty in Item 7 and another specialty. Enter the additional specialty code here: \_\_\_\_\_  
\_\_\_ (04) Insured is not board certified. (Table C)

PLACE WHERE INJURY OCCURRED: (Check one)  
\_\_\_ (01) Hospital Inpatient Facility    \_\_\_ (04) Nursing Home    \_\_\_ (07) Other Outpatient Facility  
\_\_\_ (02) Emergency Room    X (05) Physician's Office    \_\_\_ (08) Other Location  
\_\_\_ (03) Hospital Outpatient Facility    \_\_\_ (06) Patient's Home    \_\_\_ (09) Other Hospital/Institution

If Place of Injury (above) is checked as (8) Other, then provide a description of the place where the injury occurred: \_\_\_\_\_

NAME OF INSTITUTION: N/A INSTITUTION CODE: \_\_\_\_\_  
(See Table D)

LOCATION OF INSTITUTIONAL INJURY: (Check one)  
\_\_\_ (01) Patient's Room    \_\_\_ (04) Labor & Delivery Room    \_\_\_ (07) Critical Care Unit  
\_\_\_ (02) Operating Suite    \_\_\_ (05) Physical Therapy Dept.    \_\_\_ (08) Special Procedure Room  
\_\_\_ (03) Recovery Room    \_\_\_ (06) Nursery    \_\_\_ (09) Radiology  
\_\_\_ (10) Emergency Room

FLORIDA DEPARTMENT OF INSURANCE  
 FLORIDA MEDICAL PROFESSIONAL LIABILITY  
 INSURANCE CLAIMS REPORT

DEPARTMENT FILE NO. \_\_\_\_\_  
 INSURER'S CLAIM NO. 84 SF 39

DATE OF OCCURRENCE: 07/15/83 -- 2/86

DATE REPORTED TO INSURER: 08/10/86

INJURED PERSON'S AGE: 0- 2½ Years (If less than one year, then enter 01)

INJURED PERSON'S SEX:  M  F (Circle one)

1 INJURED PERSON'S NAME:

first and middle initial \_\_\_\_\_

FINAL DIAGNOSIS FOR WHICH TREATMENT WAS SOUGHT OR RENDERED:

Cystic fibrosis

(LEAVE BLANK)

15.

DESCRIBE MISDIAGNOSIS MADE, IF ANY, OF THE PATIENT'S ACTUAL CONDITION:

Failure to diagnose cystic fibrosis between 7/83 -- 2/86

16.

DESCRIBE ACTION WHICH CAUSED CLAIM TO BE MADE:

Diagnosis made in 2/86. Plaintiff contends Dr. Limperis should have made diagnosis earlier

17.

DESCRIBE THE OPERATION, DIAGNOSTIC OR TREATMENT PROCEDURE CAUSING THE INJURY. USE NOMENCLATURE AND/OR DESCRIPTIONS OF THE PROCEDURES USED. INCLUDE METHOD OF ANESTHESIA, OR NAME OF DRUG USED FOR TREATMENT, WITH DETAIL OF ADMINISTRATION:

N/A

18.

DESCRIBE THE PRINCIPAL INJURY GIVING RISE TO THE CLAIM. USE NOMENCLATURE AND/OR DESCRIPTIONS OF THE INJURY. INCLUDE TYPE OF ADVERSE EFFECT FROM DRUGS WHERE APPLICABLE:

Child has cystic fibrosis. Family feels his condition could have been palliated during 2½ years of his life before diagnosis was made

19.

SEVERITY OF INJURY: (check only one -- rate most serious injury if several are involved.)

(01) Emotional only - Fright, no physical damage.

(02) Insignificant - Lacerations, contusions, minor scars, rash. No delay.

Temp-  (03) Minor - - - - Infections, misset fracture, fall in hospital. Recovery delayed.

orary  (04) Major - - - - Burns, surgical material left, drug side effect, brain damage. Recovery delayed.

(05) Minor - - - - Loss of fingers, loss or damage to organs. Includes nondisabling injuries.

Perma-  (06) Significant - - Deafness, loss of limb, loss of eye, loss of one kidney or lung.

nent  (07) Major - - - - Paraplegia, blindness, loss of two limbs, brain damage.

(08) Grave - - - - Quadraplegia, severe brain damage, lifelong care or fatal prognosis.

(09) Death

FLORIDA DEPARTMENT OF INSURANCE  
 FLORIDA MEDICAL PROFESSIONAL LIABILITY  
 INSURANCE CLAIMS REPORT

DEPARTMENT FILE NO. \_\_\_\_\_  
 INSURER'S CLAIM NO. 84 SF 39

11. DATE OF SUIT, IF ANY: 01 / 21 / 87

12. LIST OTHER DEFENDANTS INVOLVED IN THIS CLAIM, THE INSURER'S NUMBER AND THE COMPANION CLAIM FILE ID NUMBER:

<u>DEFENDANT'S NAME (Last Name, First Name)</u>	<u>INSURER CODE NO.</u>	<u>INSURER FILE ID.</u>
1) <u>N/A</u>	_____	_____
2) _____	_____	_____
3) _____	_____	_____
4) _____	_____	_____
5) _____	_____	_____

13. WAS PLAINTIFF REPRESENTED BY AN ATTORNEY? (Check one)  
 (01) Yes  (02) No

14. DATE OF FINAL CLAIM DISPOSITION: 07 / 08 / 87

15. FINAL METHOD OF CLAIM DISPOSITION:

- (01) Settled by parties.  
 (02) Disposed of by a court.  
 (03) Disposed of by arbitration.

16. SETTLEMENT: (Check one)

- (01) Within the presuit period as set forth in Section 768.57, Florida Statute (usually within 90 days).  
 (02) After arbitration is initiated or prior to suit being filed.  
 (03) Within 90 days of suit being filed.  
 (04) More than 90 days after suit is filed and prior to or during the course of mandatory settlement conference.  
 (05) Prior to completion of the swearing of the jury.  
 (06) Prior to filing of the notice of appeal.  
 (07) After notice of appeal is filed or post-judgment relief or action is required for recovery.  
 (08) During appeal.  
 (09) After appeal.  
 (10) Claim or suit abandoned.

17. COURT: (Check one)

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> (01) No court proceedings.                        | <input type="checkbox"/> (06) Judgment for the plaintiff.             |
| <input type="checkbox"/> (02) Directed verdict for plaintiff.                         | <input type="checkbox"/> (07) Judgment for the defendant.             |
| <input type="checkbox"/> (03) Directed verdict for defendant.                         | <input type="checkbox"/> (08) Judgment for the plaintiff after appeal |
| <input type="checkbox"/> (04) Judgment notwithstanding the verdict for the plaintiff. | <input type="checkbox"/> (09) Judgment for the defendant after appeal |
| <input type="checkbox"/> (05) Judgment notwithstanding the verdict for the defendant. | <input type="checkbox"/> (10) Other.                                  |
|   | <input type="checkbox"/> (11) Summary judgment for the plaintiff.     |
|   | <input type="checkbox"/> (12) Summary judgment for the defendant.     |

18. ARBITRATION: (Check one)

- |  |  |
|--|--|
| <input checked="" type="checkbox"/> (01) Claim not subject to arbitration.   | <input type="checkbox"/> (03) Award for plaintiff. |
| <input type="checkbox"/> (02) Claim subject to arbitration, but previously coded disposition reached in lieu of award. | <input type="checkbox"/> (04) Award for defendant. |

19. WAS THERE AN ITEMIZED VERDICT UNDER FLORIDA STATUTE 768.48? (Check one)

- (01) Yes  (02) No (If yes, please attach copy of settlement or verdict.)

FLORIDA DEPARTMENT OF INSURANCE  
 FLORIDA MEDICAL PROFESSIONAL LIABILITY  
 INSURANCE CLAIMS REPORT

DEPARTMENT FILE NO. \_\_\_\_\_  
 INSURER'S CLAIM NO. 84 SF 39

30. INDEMNITY PAID BY YOU ON BEHALF OF THIS DEFENDANT: ----- \$ 9,999. .00
31. INDEMNITY PAID BY EXCESS CARRIER ON BEHALF OF THIS DEFENDANT: ----- \$ -0- .00
32. LOSS ADJUSTMENT EXPENSE PAID TO DEFENSE COUNSEL: ----- \$ \_\_\_\_\_ .00  
 (bills ~~As of this date~~ have not been received)
33. ALL OTHER LOSS ADJUSTMENT EXPENSE PAID: ----- \$ 275 .00
34. NUMBER OF DAYS OF INJURED PERSON'S WAGE LOSS PAID TO DATE: ----- \_\_\_\_\_ d.
35. ESTIMATED NUMBER OF FUTURE DAYS OF INJURED PERSON'S WAGE LOSS: ----- \_\_\_\_\_ d.
36. INJURED PERSON'S GROSS WEEKLY INCOME: ----- \$ \_\_\_\_\_ .00

37. INJURED PERSON'S TOTAL ECONOMIC LOSS:

	<u>MEDICAL</u>	<u>WAGE LOSS</u>	<u>OTHER EXPENSES</u>
A) INCURRED TO DATE - - - -	\$ <u>-0-</u> .00	\$ <u>-0-</u> .00	\$ <u>-0-</u> .00
B) ESTIMATED FUTURE - - - -	\$ _____ .00	\$ _____ .00	\$ _____ .00

38. AMOUNT PAID FOR INJURED PERSON'S NON-ECONOMIC LOSS: ----- \$ 9,999 .00

39. IF A STRUCTURED SETTLEMENT OR PERIODIC PAYMENTS USED IN THIS CLAIM:

- A) PRESENT VALUE OF PERIODIC PAYMENTS ----- \$ \_\_\_\_\_
- B) COST TO THE INSURER OF THE PAYMENTS ----- \$ \_\_\_\_\_
- C) TOTAL EXPECTED PAYMENT TO PLAINTIFF ----- \$ \_\_\_\_\_
- D) DID YOU PURCHASE AN ANNUITY?  (01) Yes  (02) No

40. BRIEFLY DESCRIBE THE STRUCTURED SETTLEMENT INCLUDING HOW IT IS FINANCED: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

41. SAFETY MANAGEMENT STEPS TAKEN BY INSURED TO MAKE SIMILAR OCCURRENCES LESS LIKELY: \_\_\_\_\_  
Doctor reacquainted himself with diagnosis of cystic fibrosis. However,  
we feel this to be a non-meritorious claim. It was settled because  
of the sympathy an injured child always elicits from a jury.

CONTACT PERSON: DONALD G. KORMAN, ESQ ADDRESS 2101 NORTH ANDREWS AVENUE  
 TELEPHONE: (305) 561-5000 FT. LAUDERDALE, FL 33311