

FLORIDA DEPARTMENT OF INSURANCE  
FLORIDA MEDICAL PROFESSIONAL LIABILITY  
CLOSED CLAIM REPORTING FORM

9501603

DEPT. FILE NO.

AUG 21 1995

INSURER'S CLAIM NUMBER: 177-92-0

BUREAU OF PROPERTY &  
CASUALTY FORMS & RATES

1. PRIMARY INSURER NAME: Gulf Atlantic Insurance Company INSURER CODE: 02878  
(See Table A)

2. EXCESS INSURER NAME: N/A INSURER CODE: N/A  
(See Table A)

3a. HEALTH CARE PROVIDER: BYRNE, Luis O. M.D.  
(Last Name, First and Middle Name or Hospital Name from Table D)

3b. IF HEALTH CARE PROVIDER (above) IS A PHYSICIAN, DENTIST OR  
PODIATRIST ENTER DEPARTMENT OF PROFESSIONAL REGULATION LICENSE NUMBER: 0020531

3c. INSURED'S NAME: Same

STREET ADDRESS: 14803 Grimsby Place

CITY: Tampa STATE: FL ZIP: 33618 COUNTY CODE: 03  
(See Table B)

|                  | <u>POLICY NUMBER</u> | <u>PER CLAIM POLICY LIMITS</u> | <u>AGGREGATE POLICY LIMITS</u> |
|------------------|----------------------|--------------------------------|--------------------------------|
| PRIMARY INSURER: | <u>GPLFL92017791</u> | <u>\$ 500,000 .00</u>          | <u>\$ 1,500,000 .00</u>        |
| EXCESS INSURER:  | <u>N/A</u>           | <u>\$ N/A .00</u>              | <u>\$ N/A .00</u>              |

5. IS THE INSURED PHYSICIAN A FOREIGN MEDICAL GRADUATE?  (01) Yes  (02) No (If yes, enter the country in which primary medical education was received: Peru)

**PE**

6. PROFESSION OR BUSINESS: (Check one)

- (01) Physicians & Surgeons
- (02) Hospitals
- (03) Podiatrists
- (04) Dentist
- (05) Abortion Clinics
- (06) Ambulatory Surgical Centers
- (07) Crisis Stabilization Unit
- (08) Health Maintenance Organization

7. SPECIALTY CODE: 80249 (Applies to physicians, surgeons, and dentists. Use ISO Common Statistical Base Classification Codes.)  
(See Table C)

8. BOARD CERTIFICATION: (Check one)

- (01) In specialty coded in Item 7, above.
- (02) In a different specialty.
- (03) In the specialty in Item 7 and another. Enter the additional specialty code here: Neurology  
(See Table C)
- (04) Insured is not board certified.

9. PLACE WHERE INJURY OCCURRED: (Check one)

- (01) Hospital Inpatient Facility
- (02) Emergency Room
- (03) Hospital Outpatient Facility
- (04) Nursing Home
- (05) Physician's Office
- (06) Patient's Home
- (07) Other Outpatient Facility
- (08) Other Location
- (09) Other Hospital/Institution

10. IF PLACE OF INJURY (above) IS CHECKED AS ((08) OTHER), THEN PROVIDE A DESCRIPTION OF THE PLACE WHERE THE INJURY OCCURRED: N/A

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11. NAME OF INSTITUTION: N/A INSTITUTION CODE: N/A  
(See Table D)

12. LOCATION OF INSTITUTIONAL INJURY: (Check one)  
N/A (01) Patient's Room (05) Physical Therapy Dept. (09) Radiology  
(02) Operating Suite (06) Nursery (10) Emergency Room  
(03) Recovery Room (07) Critical Care Unit (11) Other \_\_\_\_\_  
(04) Labor & Delivery Room (08) Special Procedure Room \_\_\_\_\_

13. DATE OF OCCURRENCE: 9/3/92

DATE REPORTED TO INSURER: 9/14/94

14. INJURED PERSON'S AGE: 25 Years (If less than one year, enter 00; if unknown, enter UNK.)

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

14.1 INJURED PERSON'S NAME: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY: T. O. G.

15. FINAL DIAGNOSIS FOR WHICH TREATMENT WAS SOUGHT OR RENDERED: (LEAVE BLANK)  
Explosive personality with manic depression 15.

16. DESCRIBE MISDIAGNOSIS MADE, IF ANY, OF THE PATIENT'S ACTUAL CONDITION: 16.  
N/A

17. DESCRIBE ACTION WHICH CAUSED CLAIM TO BE MADE: 17.  
Unknown

18. 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: 18.  
Treated with Lithium

19. 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: 19.  
Alleged permanent physical injury and extremely grievous personal and social hardships

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20. 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

21. DATE OF SUIT, IF ANY: N/A

21.1 CIRCUIT COURT CASE NUMBER: N/A

21.2 COUNTY CODE OF COUNTY SUIT FILED IN: N/A (SEE TABLE B)

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

|    | DEFENDANT'S NAME (Last Name, First Name) | INSURER CODE NO. | INSURER FILE ID. |
|----|--|------------------|------------------|
| 1) |  |                  |                  |
| 2) | <u>None</u>                              | <u>N/A</u>       | <u>N/A</u>       |
| 3) |  |                  |                  |
| 4) |  |                  |                  |
| 5) |  |                  |                  |

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

24. DATE OF FINAL CLAIM DISPOSITION: 7/25/95

25. FINAL METHOD OF CLAIM DISPOSITION:  
 (01) Settled by parties.  
 (02) Disposed of by a court.  
 (03) Disposed of by arbitration.

26. STAGE OF THE LEGAL SYSTEM AT WHICH SETTLEMENT WAS REACHED OR AWARD MADE: (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 filed and prior to or during the course of mandatory settlement conference.
- (05) During trial but before court verdict.
- (06) After court verdict and prior to filing of notice of appeal.
- (07) After notice of appeal is filed or post-judgement relief or action is required for recovery.
- (08) During appeal.
- (09) After appeal.
- (10) Claim or suit abandoned.

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

28. 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 settlement reached in lieu of award. | <input type="checkbox"/> (04) Award for defendant. |

29. Was there an itemized verdict? (Check one)
- (01) Yes      (02) No (If yes, please attach copy of settlement or verdict.)

30. INDEMNITY PAID BY YOU ON BEHALF OF THIS DEFENDANT: ----- \$     0    .00

30.1 AMOUNT OF DEDUCTIBLE PAID BY THIS DEFENDANT: ----- \$     0    .00

31. INDEMNITY PAID BY EXCESS CARRIER ON BEHALF OF THIS DEFENDANT: ----- \$     0    .00

32. LOSS ADJUSTMENT EXPENSE PAID TO DEFENSE COUNSEL: ----- \$   1,188  .00

33. ALL OTHER LOSS ADJUSTMENT EXPENSE PAID: ----- \$     0    .00

34. NUMBER OF DAYS OF INJURED PERSON'S WAGE LOSS PAID TO DATE: -----     0     days

35. ESTIMATED NUMBER OF FUTURE DAYS OF INJURED PERSON'S WAGE LOSS: -----     0     days

36. INJURED PERSON'S GROSS WEEKLY INCOME: ----- \$     0    .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 - - - - | \$ <u>    0    </u> .00 | \$ <u>    0    </u> .00 | \$ <u>    0    </u> .00 |

38. AMOUNT PAID FOR INJURED PERSON'S NON-ECONOMIC LOSS: ----- \$     0    .00

39. IF A STRUCTURED SETTLEMENT OR PERIODIC PAYMENTS USED IN THIS CLAIM:
- |  |   |                         |
|--|---|-------------------------|
| A) PRESENT VALUE OF PERIODIC PAYMENTS  | -----   | \$ <u>    0    </u> .00 |
| B) COST TO THE INSURER OF THE PAYMENTS | -----   | \$ <u>    0    </u> .00 |
| C) TOTAL EXPECTED PAYMENT TO PLAINTIFF | -----   | \$ <u>    0    </u> .00 |
| D) DID YOU PURCHASE AN ANNUITY?        | <input type="checkbox"/> (01) Yes <input checked="" type="checkbox"/> (02) No |                         |

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40. BRIEFLY DESCRIBE THE STRUCTURED SETTLEMENT INCLUDING HOW IT IS FINANCED: N/A

41. TYPE OF NON-ECONOMIC DAMAGE LIMIT: (Check one)

- (01) No limit (neither party requests or agrees to voluntary binding arbitration).
- (02) No limit (defendant refuses claimant's offer of voluntary binding arbitration).
- (03) \$250,000 limit (both parties accept arbitration). (See Item 42 for exception.)
- (04) \$350,000 limit (plaintiff rejects arbitration).
- (05) Does not apply because occurrence happened before the 02-08-88 law.

42. IF (03) IS CHECKED IN ITEM 41 AND THE LIMIT ON NON-ECONOMIC DAMAGES IS DIFFERENT THAN \$250,000, THEN INDICATE THE MODIFIED LIMIT: ----- \$ N/A .00

43. COLLATERAL SOURCE INFORMATION:

ENTER TO THE NEAREST PERCENT (use no decimals) THE PERCENT RECOVERY FOR ECONOMIC LOSS FROM:

- |   |  |
|---|--|
| A. <input type="checkbox"/> % Health                | D. <input type="checkbox"/> % Automobile                           |
| B. <input type="checkbox"/> % Disability            | E. <input type="checkbox"/> % Medicare, Medicaid & Social Security |
| C. <input type="checkbox"/> % Workers' Compensation | F. <input type="checkbox"/> % Other sources, specify: <u>N/A</u>   |

44. SAFETY MANAGEMENT STEPS TAKEN BY INSURED TO MAKE SIMILAR OCCURRENCES LESS LIKELY: No medical negligence involved

CONTACT PERSON: Wayne L. Oliff ADDRESS: P.O. Box 10200  
TELEPHONE: (904) 325-8553 Tallahassee, FL 32311