

**STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS**

(_____),
on behalf of and as parent and natural guardian
of (_____), a minor,

Petitioner,

CASE NO.:

vs.

FLORIDA BIRTH-RELATED NEUROLOGICAL
INJURY COMPENSATION ASSOCIATION,

Respondent.

_____ /

**PETITION FOR BENEFITS PURSUANT TO
FLORIDA STATUTE SECTION 766.301 et seq.**

COMES NOW, the Petitioner, (_____), on behalf of and as parent and natural guardian of (_____), by and through their undersigned counsel, and petitions for benefits pursuant to Florida Statute Section 766.301 et seq., and states:

Legal representatives of the claimant:

1. This petition is brought on behalf of (_____), by and through (_____) parent and natural guardian, (_____), and (_____), Esquire, their attorney.

Name and address of injured infant:

2. The injured infant's name is (_____), (_____) address is (_____).

Name and address of physician:

3. The physician providing obstetric services who was present at the birth is: (_____).

Time and place of birth:

4. At (_____),
D.O.B.: (_____)

Time and Place of injury:

5. At (_____), (_____)

Description of disability:

6. It is alleged that (_____) suffered brain damage as a result of a birth-related neurological injury.

Statement of facts:

7. It is alleged that (_____) suffered brain damage as a result of a difficult birth.

Medical Records of Claimant:

8. The medical records and hospital records of the mother, (_____), and the infant, (_____) have been forwarded to Florida Birth Related Neurological Injury Compensation Association (NICA).

9. Forwarded to NICA were the medical records from:

A. (_____) for the mother, (_____) .

B. (_____) for the infant, (_____) .

Medical bills, expenses, and evaluations:

All available documents have been requested from each health care provider noted above and are attached hereto.

10. A certified copy of the birth certificate is attached.

11. The Petitioner requests the following relief for (____)self and (____) minor child:

A. Expenses for items or services that are medically necessary and reasonable for the child's medical and hospital care, habilitation and training, custodial care and services and related care in the past and in the future for the rest of (_____) life.

B. Periodic payments (or lump sum) of an award to the parent(s) of the minor in an amount not to exceed the amount authorized in section 766.31(1)(d)1.a., Florida Statutes.

C. All expenses requested hereunder are to be awarded pursuant to the

provisions of Sections 766.301 - 766.316, Florida Statutes, and subject to exclusions contained in said sections.

D. Reasonable expenses incurred in connection with the filing of this claim.

I affirm that the representations set forth in this Petition for Benefits do not contain any false, incomplete or misleading information, that I have not omitted nor concealed any material information, and that I understand this Petition for Benefits is being submitted to obtain benefits under the NICA Plan, and that NICA is materially and substantially relying upon the representations contained herein.

WHEREFORE, the Petitioner respectfully requests that (he/she) be granted the benefits available to and minor child under the Florida Statutes governing birth-related neurological injuries. Dated this ____ day of _____, _____.

(_____), Esquire
Attorney for Petitioner
(_____)

Florida Bar ID# _____

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Petition for Benefits has been furnished by certified mail, return receipt requested, to The Division of Administrative Hearings, 1230 Apalachee Parkway, Tallahassee, Florida 32301-3060, this ____ day of _____, _____.

(_____), Esquire
Attorney for Petitioner
(_____)

Florida Bar ID# _____

Telephone: _____