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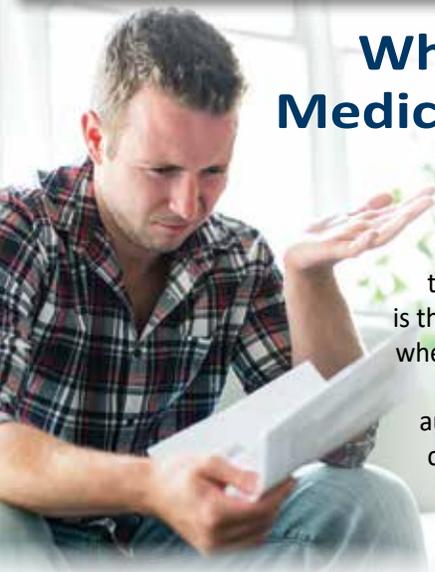
FARROW & PULICE, P.A.

Attorneys At Law



Spring 2019

If you need our services, please contact us at 941-924-0993 or 888-300-0993 www.farrowpulicelaw.com



Which Insurance Will Cover Medical Bills from a Car Accident?

If you've been injured in a car accident, you already know that medical bills add up quickly. What you might not know is who is going to pay for the expenses. Is it the auto insurance of the person at fault or your auto or health insurance? The answer is that all those methods may be used to pay medical expenses, but when you can use which insurance can get a little confusing.

If you carry personal injury protection insurance (PIP) on your auto insurance policy, and it is mandatory in some states, it will cover expenses in an auto accident no matter who is at fault; coverage includes injuries, rehabilitation, and lost wages. If you have PIP, you will generally have to use those funds before you can use health insurance.

If you do not have PIP, use your health insurance. Do not wait for the at-fault driver's insurance to pay for your medical expenses. An investigation takes time, and an insurance company will only offer a settlement after a thorough investigation, which could take months or years—longer than the window in which you must submit medical bills to your healthcare insurance company. A fair settlement will include your out-of-pocket expenses, such as deductibles and copays. Do keep in mind that once you receive a settlement, your health insurance company will likely require reimbursement for the coverage that they provided.

Have you been injured in an auto accident and have questions? Call our office for a confidential consultation.

Lead in School Drinking Water

When you send your kids off to school, the last thing you might think of is lead in the drinking water. Lead poisoning is known to be particularly dangerous to children and can cause developmental delays (mental and physical). Associated health problems include poor coordination, decreased muscle and bone growth, speech and language problems, kidney damage, nervous system impairment, stomachaches, and seizures.

It is shocking to learn, especially after the crisis in Flint, Michigan, that schools still find lead in the drinking water. Perhaps even more shocking is that in all but six states schools aren't required to test for lead in the water unless the school operates its own water system. The Environmental Protection Agency strongly recommends that schools test drinking water for lead. Keep in mind, the water supply used by a school may be clean, but the school's drinking water could be contaminated by aging water fixtures and plumbing.

Recently, 58 schools in North Carolina voluntarily tested their drinking water, and almost half showed high levels of lead. One preschool tested at 430 parts per billion (ppb). To put that in perspective, Flint's levels were 26 ppb. The EPA's position is that there is no safe level of lead in drinking water, though the actionable level set by the association is 15 ppb.

Lawyers helping injured people.

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How To File a Lawsuit on Behalf of a Child



Kids get hurt; it's a given. But what if they are seriously injured and it was due to the negligence of another person or business? For example, if a child suffers serious head trauma and permanent scarring due to a collision at a skatepark, it's easy to write it off as "kids being kids." But, if the park was understaffed and allowed too many skaters/skateboarders in the area where your child was hurt, you likely could file a claim for their injuries. The park may be considered negligent because it broke its commitment to provide a safe environment for children to skate or skateboard.

Children have the same rights as adults to be compensated

Children have the same rights as adults to be compensated for damages if they've been injured, but they cannot file a claim.



for damages if they've been injured, but they cannot file a claim. A parent or legal guardian must file a lawsuit on their behalf. Depending on the severity of injuries, the damages could include pain and suffering, scarring or disfigurement, disability, and loss of current (in the case of a teen who works part-time) and/or future income.

What about compensation for medical expenses? Because medical bills and related expenses are paid by a parent, insurance company, or,

in most cases, a combination of the two, parents must file a separate claim for medical expenses.

If you have any questions about the process of filing a lawsuit on behalf of your child, call our office for a confidential consultation.



INJURED ON THE GREEN?

Golfing is a sport enjoyed by people of all ages and is not usually associated with serious injury during play, but golfers do get injured, sometimes through no fault of their own. A golf course covers many acres and must be maintained well so that people can safely play and walk or drive to each hole. In addition to premises conditions, golfers are at risk of being hit by wayward balls or clubs.

The owner of the golf course owes the highest duty of care to those invited onto the property and must provide a safe course to play on and warn players of any known hazards. Golfers also take an inherent risk when playing the game. The possibility of being hit by a ball while on the course is assumed by players.

Even so, the owners of a course must minimize the chance of injury through course design and property maintenance. This means that a tee box should be thoughtfully placed, driving

ranges should be netted, greens and paths should be free of obstacles (excluding the water and sand features that are part of the game!), and carts should be regularly maintained.

If the owner of a course fails to maintain the premises and carts, they can be held liable for a resulting injury. A Florida golfer was awarded \$475,000 when he suffered a serious injury after his golf cart flipped on a hole that was covered with grass and weeds. It turns out that the course owner knew about the hole but decided to cover it up instead of fix it.

Spectators are also at risk during tournaments. A woman was blinded in one eye at last September's Ryder Cup when a wayward tee shot by Brooks Koepka struck her. She contends that fans were allowed to stand too close to the holes and not enough was done to keep spectators safe or to warn them of the risk of being struck.

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DRUGGED DRIVING



The three “D”s of illegal driving are drunk, distracted, and drugged. Thanks to well-meaning public-relations campaigns, we hear quite a bit about the first two but not so much about drugged driving.

According to the National Survey on Drug Use and Health (NSDUH), in 2016, 20.7 million people age 16 or older drove under the influence of alcohol in the previous year, and 11.8 million drove under the influence of illicit drugs. As more states relax marijuana laws and wrestle with methamphetamine and prescription-medication addiction, this number is bound to increase.

While marijuana may be gaining acceptance for medicinal and recreational applications, it is still a deadly mix with driving. According to the NSDUH, it slows reaction time, impairs judgment of time and distance, alters attention, and decreases coordination. Methamphetamines can cause aggressive and reckless driving, and prescription sedatives can cause drowsiness and impaired reaction. Unlike alcohol, many states have zero tolerance for driving drugged, meaning a driver can be charged for any amount found in their blood or urine.



Will New Asbestos Regulations Put the Public at Risk?

Asbestos exposure has been directly linked with chronic lung disease and deadly conditions including mesothelioma and cancers of the larynx, lungs, and gastrointestinal tract. Those with highest risk of exposure worked in the construction, automotive, shipping, manufacturing, and mining industries prior to the mid-1970s.

Given the history, it was stunning that the U.S. Environmental Protection Agency (EPA) enacted the Significant New Use Rule (SNUR) in June 2018, which critics say will make it easier for asbestos to be used in new consumer products. Scientists and health officials say that no amount of asbestos exposure is safe, and there are no safe “new” uses for the product. According to a *New York Times* article published in August of 2018, EPA policy analysts and scientists voiced their concern that SNUR, which claims to strengthen oversight of asbestos, will ultimately lead to more use of the materials.

According to the Asbestos Disease Awareness Organization, asbestos-related diseases kill 39,000 Americans a year. Symptoms can take up to 40 years to show, and many victims were exposed through secondhand sources, such as cleaning the laundry of those exposed to asbestos at work.

Watch Your Step

As winter transitions into spring, some people let their guard down while walking, but freezing temperatures and icy conditions can still be a menace. Plus, the aftereffects of cold weather can result in uneven sidewalks, shifting outdoor tiles, and parking lots full of potholes.

A bad slip usually does nothing more than cause a moment of embarrassment, but such accidents also cause broken bones, torn ligaments, herniated discs, and spinal cord injuries that can require a significant amount of treatment and therapy. A serious injury may also result in lost work and wages. If you slip and fall due to someone else’s negligence, you may be able to recover damages.

In order to prove fault in a slip-and-fall accident, you must show that:

- ◆ The owner or employee caused the condition or hazard that resulted in the slip.
- ◆ The owner or employee was aware of the condition and did nothing.
- ◆ The owner or employee should have been aware of a hazard or condition through reasonable property management and repaired or removed it.

This spring, watch your step and please don’t text and walk. Stop somewhere safe if you have to look at your screen.



Stroke Misdiagnosis

Seconds and minutes count when a person has a stroke. A stroke blocks the blood supply to the brain; without oxygen, brain damage or death can occur quickly.

Medical professionals are trained to spot the signs of stroke quickly so that lifesaving, clot-busting drugs can be given. Symptoms of stroke include slurred speech, paralysis or weakness on one side of the body, and diminished mental and motor skills. Without medical intervention, a stroke victim—whether his or her symptoms are misdiagnosed or aren't given immediate attention—will likely have permanent brain and nerve damage or die.

If medical staff fail to diagnose a stroke or fail to treat it in a timely manner, they could be sued for medical negligence.



KNOW THE SYMPTOMS OF STROKE

FAST action by a loved one can save a life! If you think someone could be having a stroke, ask them to do a few simple tasks.

Face: Smile and see if one side of the face droops.

Arms: Raise both arms. Does one arm drop down?

Speech: Say a short phrase and check for slurred or strange speech.

Time: If the answer to any of these is yes, call 911 right away and write down the time when symptoms started.

Source: webmd.com

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TAX SCAM ALERT!

If you think paying taxes is painful, just consider how stressful it would be if your tax returns got into the wrong hands. Each year, the U.S. Internal Revenue Service compiles a Dirty Dozen list of tax scams and warns taxpayers to remain vigilant about these aggressive and evolving schemes throughout the year. Here are just a few dirty techniques fraudsters will use to try to access your information:

➤ **PHISHING:** Taxpayers should be alert to potential fake emails or websites looking to steal personal information. The IRS will never initiate contact with taxpayers via email about a bill or refund.

➤ **PHONE SCAMS:** Phone calls from criminals impersonating IRS agents remain an ongoing threat

to taxpayers. The IRS has seen a surge of these phone scams in recent years as con artists threaten taxpayers with police arrest, deportation, and license revocation, among other things.

➤ **RETURN PREPARER FRAUD:** Be on the lookout for unscrupulous return preparers. There are some dishonest preparers who operate each filing season to scam clients, perpetuating refund fraud, identity theft, and other scams that hurt taxpayers.

➤ **INFLATED REFUND CLAIMS:** Taxpayers should take note of anyone promising inflated tax refunds. Preparers who ask clients to sign a blank return, promise a big refund before looking at taxpayer records, or charge fees based on a percentage of the refund are up to no good.

Source: IRS news release