



State: Fla.

Attorney Argues Hypertension Makes PTSD Compensable for Lost Wages: SOUTH [2017-12-20]

An Orlando claimants' attorney said he argued a "novel" legal theory Monday before a judge of compensation claims, positing that a police officer with PTSD qualified for lost wages because the physical injury of hypertension accompanied his mental injury.



Geoff Bichler
(*Bichler, Oliver, Longo
& Fox PLLC*)

Attorney Geoff Bichler is asking for \$25,000 for former Orlando police Officer Gerry Realin, who was diagnosed with post-traumatic stress disorder after bagging bodies at the Pulse nightclub on June 12, 2016, following a shooting spree that left 49 dead.

WKMG News 6 said reporters were not allowed to attend Realin's final workers' compensation hearing because his medical records were discussed in open court.

Judge Neal Pitts heard arguments from Bichler and the City of Orlando, and will issue his ruling later.

Current Florida law covers first responders only for medical benefits for mental injuries and prohibits payment of wage-loss benefits unless a physical injury requiring medical treatment is present.

Bichler told reporters Monday that he would appeal the judge's ruling, should his client lose.

Meanwhile, the attorney is lobbying lawmakers, who have four prefiled bills that would cover mental injuries not accompanied by physical injuries.

Senate Bill 376 was amended earlier this month and would cover first responders for PTSD if they can show by a preponderance of the evidence that the mental injury was related to their work, and if they arrived on the scene of a murder, suicide, fatal injury, child death or event with mass casualties.

Lawmakers currently are in an interim session, and the regular session does not begin until Jan. 9. The deadline for approving final drafts of general bills and joint resolutions is 5 p.m. Jan. 5.