



# Metropolitan Nashville and Davidson County, TN

## Legislation Details (With Text)

**File #:** RS2021-1068      **Name:**

**Type:** Resolution      **Status:** Passed

**File created:** 7/23/2021      **In control:** Metropolitan Council

**On agenda:** 8/3/2021      **Final action:** 8/3/2021

**Title:** A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Theresa Brown against the Metropolitan Government of Nashville and Davidson County in the amount of \$19,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

**Sponsors:** Kyonzte Toombs

**Indexes:**

**Code sections:**

**Attachments:** 1. RS2021-1068 Letter to Metro Clerk

Date	Ver.	Action By	Action	Result
8/4/2021	1	Mayor	approved	
8/3/2021	1	Metropolitan Council	adopted	
8/2/2021	1	Budget and Finance Committee	approved	

A resolution authorizing the Metropolitan Department of Law to compromise and settle the personal injury claim of Theresa Brown against the Metropolitan Government of Nashville and Davidson County in the amount of \$19,000.00, with said amount to be paid out of the Self-Insured Liability Fund.

WHEREAS, on May 22, 2020, Nashville Fire Department Emergency Medical Services (EMS) employees responded to a call at the home of Theresa Brown, who was experiencing pain from a cyst in her leg. EMS employees placed Ms. Brown on a stretcher and while attempting to load it into the ambulance, the stretcher collapsed, causing injury to Ms. Brown; and,

WHEREAS, after investigation, the Metropolitan Department of Law believes that the settlement listed in Section 1 is fair and reasonable and in the best interest of the Metropolitan Government and recommends that the personal injury claim be compromised and settled for \$19,000.00, and that this amount be paid from the Self-Insured Liability Fund.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1: The Metropolitan Department of Law is authorized to compromise and settle the personal injury claim of Theresa Brown for the sum of \$19,000.00 with said amount to be paid from the Self-Insured Liability Fund.

Section 2: This resolution shall take effect from and after its adoption, the welfare of the Metropolitan Government of Nashville and Davidson County requiring it.

### Analysis

On May 22, 2020, Nashville Fire Department Emergency Medical Services (EMS) responded to a call from Theresa Brown, who was experiencing pain from a cyst in her right leg. The EMS employees walked Ms.

Brown to the ambulance and, as they placed her on the stretcher, the stretcher malfunctioned causing it to collapse. After the malfunction, Ms. Brown complained of back pain.

Ms. Brown was taken to the hospital and examined for back pain. She was given pain medication and referred for an MRI of her lumbar spine. After the MRI, she was referred for physical therapy. Her medical expenses totaled \$10,752.53.

The Department of Law recommends settlement of this claim for \$19,000, which includes \$8,247.28 for pain and suffering.

*Fiscal Note: This \$19,000 settlement, along with the settlement per Resolution No. RS2021-1079, would be the 1st and 2nd payments from the Self-Insured Liability Fund in FY22 for a cumulative total of \$59,000. The fund balance would be \$244,216 after these payments.*