



MEMORANDUM

OCMFA Agenda
Item No. MFA. C
9/26/2023

The City of OKLAHOMA CITY

TO: Chairman and Trustees of the Oklahoma City Municipal Facilities Authority

FROM: Craig Freeman, City Manager/General Manager, OCMFA

Resolution authorizing the Risk Manager and the Trust's legal counsel to enter into a Joint Petition Settlement of the Workers' Compensation Commission Claim No. 2020-06324R, styled: *Brandy Dehart, Claimant vs. The City of Oklahoma City, Respondent*, an Own Risk Carrier.

Background:

The Claimant, Brandy Dehart is a 45-year-old female and is a 1-year employee of the Oklahoma City Public Property Authority. At the time of the injury she was assigned to the Lincoln Park Golf Course Restaurant as a Golf Course Part time/Temporary employee. As of October 14, 2020, the Claimant is no longer employed with the Oklahoma City Public Property Authority.

Claimant sustained an undisputed accidental injury on June 1, 2020 to her left knee. Claimant required surgery to her left knee on January 25, 2022.

Claimant was evaluated by Dr. Lance E. Rosson on behalf of her attorney and found to have the following permanent partial impairment: left knee 38%.

The negotiated Joint Petition Settlement calls for a lump sum of \$16,362.50 for the following permanent partial disability: left knee 35%. The settlement includes a payment of \$3,637.50, for additional consideration for a full, final, and complete settlement, for a total award of \$20,000.

The settlement further calls for a 3% assessment of the PPD award in the sum of \$490.88 be deducted and paid on behalf of the claimant for the Multiple Injury Trust Fund Tax, making the lump sum award \$19,509.12. The settlement further calls for \$4,000 to be deducted from the PPD award and paid in a lump sum to Claimant's attorney as a fair and reasonable fee. In addition, the City will pay Court costs \$140, a Special Occupational and Safety Fund tax representing .75% of the permanent partial disability award, shall be paid in the sum of \$150 and the Workers' Compensation Administration Fund, representing 2% of the permanent partial disability award, shall be paid in the sum of \$327.25.

This item has been reviewed and approved by the City's contract attorney, Hornbeek, Braun, Vitali, law office located at 3711 North Classen Boulevard, Oklahoma City, Oklahoma 73118 and Claimant's attorney, Joseph C. Biscione, law office located at The Hightower Building, 105 North Hudson, Suite 100, Oklahoma City, Oklahoma 73102.

Permanent Partial Disability Payment ¹	\$16,362.50
Additional Payment ¹	\$ 3,637.50
Special Occupational Health and Safety Fund Tax ²	\$ 150.00
Workers' Compensation Administration Fund ²	\$ 327.25
Workers' Compensation Court Costs ²	\$ 140.00
City's Total Cost of Award	\$20,617.25

Source of Funds:

Source of Funds OCMFA Services-Risk/Workers' Compensation-Risk Management MFA-Workers' Comp Claims (682-1451-2800750-52190061)

Review:

Risk Management

Recommendation: Joint Resolution be adopted.