

REAL SCOOP



President's Message:



This year, I hope and pray, will be a good year for you and your family. The REA has been an important part of the fabric of the City of Jacksonville for almost 50 years. I am proud to be a Member and appreciate the trust you have placed in me to be your President.

We owe thanks to past President, Greg Radlinski, and your Board for guiding the REA through a difficult time navigating the Covid crisis. His skill set as an Assistant General Counsel was also a valuable asset. No group could be as fortunate as we are to have such dedicated and capable office staff as Jackie King and Debbie Brooker, both retirees who served Jacksonville well for many years.

The Christmas Gala was fun, enjoyed by almost 200 members and family and we again appreciate the Firefighters donating their hall. Never before have so many enjoyed the many door prizes for which everyone had a shot --- especially the Huge TV set. Watch for the next REA social event several months down the calendar --- no doubt a delicious Fish Fry.



One more reason to celebrate President George Washington's Birthday, February 22nd --- Special City Election. Everyone can and should vote for someone as successor to the late and exceedingly Honorable Statesman, Tommy Hazouri. Tommy was a dear friend to Jacksonville as well as to me and Gloria. I served with him in the Florida House of Representatives and on the City Council while he was Mayor. No one can fill his shoes. If you study the candidates, however, I think you'll get an idea who might come close. I have and I'm pretty confident you will.

Omicron means this may well be another unusual year. We have already moved our Board Meetings back to Patterson Hall. (For details call the REA Office @ 353-2400). We will take all necessary precautions to protect our members.

One of the important things the REA, through the Real Scoop, has always done is to give you the lowdown on issues of importance to Retirees. In a Nutshell, "lowdown" is defined as: the unadorned facts; the whole truth; inside information; Dope. We don't plan to change that, and we welcome any ideas/suggestions you have to help the REA better serve you.

In the next few months, I am calling for a 2022 Half-Day Brainstorming Retreat to talk about new ideas the Board has to Build a better REA. Feel free to send me input or new ideas to Eric @ Ericsmithlaw.net or call 904-596-5707 or 904-635-2973. You can also call or email 1st VP John Keane @ jjkeane904@gmail.com or call 904-509-5348 or 2nd VP Cindy Gardner @ cindygardner5798@gmail.com or call 904-521-6240.

Have a great 2022, and remember one of my favorite quotes (by Sam Eliot): "I don't call it getting old; I call it outliving the warranty!"

God Bless, Eric

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Sergeant-At-Arms	Darryl Patterson
Member-At-Large	Larry Johnson
	Lynette Clinch
	Al Saffer
Past Presidents	Greg Radlinski
	Pete Ison
Advisory Panel	Sheila Caulkins
	Emily (Flo) Clark
	Henry Cook
	Tom McGivney



"Our new members were sworn in by the Honorable Gary Flower, County Court Judge, at the Christmas party"

Ombudsman	Maryanne Anders
GEPF Trustee	Richard Wallace
GEPF Advisory Comm	Kent Mathis
P&F Advisory Comm	Tom Lumpkin
P&F Trustee	Terry Wood

Christmas Party 2021





LAW TALK— by Eric Smith, General Counsel

For this edition I asked my friend Fred Tromberg, a Jacksonville Attorney for many years to share some important information with us in a two-part series.

HOW TO RECOGNIZE MEDICAL MALPRACTICE IN FLORIDA (AND WHAT TO DO ABOUT IT) by Fred Tromberg, Attorney at Law.

Everyone of us is a medical consumer. All of us have had medical care and treatment. Our children and grandchildren have received medical care and treatment, from the time they enter this world. It is a necessary and important part of life. In fact, that's how we start our lives, from the moment of birth, for just about all of us delivered by a team of medical professionals.

Medical science has evolved over the years and we have a complicated and very effective system of medical care services. These range from what we all think of in terms of having a family doctor and regular checkups to telemedicine, as well as a wide variety of surgical procedures, clinical medicine and rehabilitation. It is in this setting we all instinctively know that people in the health care professions are almost always trying to help us maintain our good health. They work to ensure we are physically and medically treated with the best of health care services.

Sometimes, unfortunately, there are mistakes. These mistakes can result in bad outcomes, especially in cases involving the wrong diagnosis, inappropriate or incorrect treatment, substandard surgery, and negligent aftercare. We all know that “bad things can happen to good people.” We also know, and it is true, that you can have the best medical and surgical care, with no negligence involved, and still have a bad outcome. Doctors are not magicians. They are professionals who have worked very hard and have been trained to provide a very high standard of care. Like all of us, they are not without their faults, foibles and, like everyone of us, they are all capable of making mistakes. The same applies to nurses, nursing assistants, all medical and hospital personnel and all their many colleagues in the health industry.

Whenever there is a bad result, ranging from death to a disabling medical condition, and all of the medical and surgical mishaps in-between, there will probably be one or more reasons for a bad outcome. This may relate to the wrong medication, an incorrect dosage, failure to adequately diagnose, treat and recognize medical and surgical issues and complications and a variety of other reasons for a bad outcome. It is understood there are absolutely “by the book” procedures, particularly in surgery and in prescribing a medication regimen, where there is a bad outcome. The patient can progress from “bad to worse” or, in the worst of circumstances, can succumb to the disease, medical condition or complications from surgery. When that happens, lawyers will use a similarly educated, trained and experienced medical provider to review the chart to determine whether there has been a “deviation” below the minimum accepted standard of care by the treating physician. Most providers are very knowledgeable, caring, and careful, recognizing they are charged with great responsibilities in taking care of the health of their patients. On the other end of the spectrum, some providers are only marginally careful, and there are those who are simply inadequate to the task of patient care – not all the time, but intermittently. If they cross the line to substandard care and treatment, that is a required element of medical negligence, and, unfortunately, it does happen.

This concept, “standard of care,” is a gradation and is not necessarily black or white. The minimum accepted standard of care becomes a line the provider must not cross when it causes harm to the patient. When that happens, and there is an injury to the patient caused by the “deviation” below the minimum accepted standard of care, those consequences of substandard treatment and medical problems which arise from the medical/surgical negligence are the subject of a medical malpractice claim. Lawsuits for medical and hospital mistakes are based upon the patient or his/her family seeking compensation for negligence that has actually caused harm, against the physician, clinic, hospital or the entire medical team — — depending upon the

facts of each case. The consequences of medical malpractice can be and usually are permanent. That is why the claims for economic and non-economic losses are for the past and the future.

In Florida, we generally have a two-year Statute of Limitations applicable to medical negligence claims, including surgeries. There are some exceptions, but, typically, the claim must be the subject of a pre-suit notice from the injured party or his/her family, through an attorney, to the medical provider who is the subject of the claim. There may be more than one provider and malpractice claims can be asserted against multiple individuals providing care when there is a verified opinion, i.e., under oath, by a competent and experienced medical provider who has reviewed the records and chart and now provides a written and sworn opinion there was a deviation below the standard of care applicable to that patient, which caused harm.

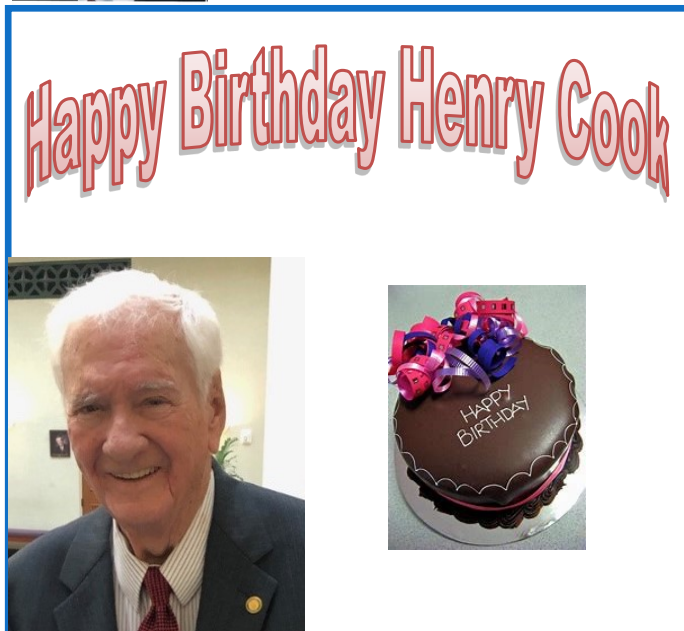
There are statutes and legal requirements that are strictly construed and interpreted by the courts that must be followed by the lawyers in these medical negligence claims. Again, they apply to doctors, hospitals, clinics, nursing care and almost all the medical and nursing personnel involved in the care of the patient. Sometimes, we think of it in terms of the doctor, hospital, nurse doing something he/she should not have done; or not doing something he/she should have done, in the care of the patient, which resulted in harm, disability, injuries or death.

The first tenet of the Hippocratic Oath taken by every physician is to "do no harm" to his/her patient. We are living in an imperfect world and we know providing medical and surgical as well as all hospital services may result in less-than-perfect treatment, care and results. It is known and understood medical negligence may occur. When it does, the patient or his/her family has the right to seek legal counsel, and that is where the legal profession enters the process and begins the investigation of the incident.

TO BE CONTINUED IN PART II – see the April-June, Newsletter



Fred Tromberg is a Florida Board Certified attorney specializing in Civil Trial Law. He has over 44 years of experience as a Trial Lawyer in Jacksonville. He can be reached at 904-396-5321. His website is www.tromberglaw.com and you can contact him directly on line at tromberglaw@bellsouth.net



The ABC's That Will Lift Your Spirit

Almighty Creator of the Universe.
Beloved Father God.
Create in me a clean heart.
Deliver me from the limitations of the ego.
Exalt your presence in my mind.
Forgive all that I have held against you, myself and others.
Grant me peace this day.
Hold me steadfastly within the boundaries of your truth.
Inspire my heart to know you, my ears to hear you and my eyes to recognize you.
Justify me in the presence of all enemies.
Knead my heart with words of kindness.
Let no harm befall me or my loved ones.
May all I do this day glorify you.
Nourish me with your wisdom.
Open my eyes to know the truth.
Purge my heart of all things that are offensive to your law.
Quite my soul in the midst of confusion.
Renew my connection to you.
Save me from my secret fears.
Teach me to trust you at all times.
Use all that you have given me to serve you.
Victory for your cause is my desire.
Walk with me so that my strength will never be diminished.
Xamine my heart continually.
Your love and grace are my good fortune.
Zealously I commit myself to your will for my life.



WE REMEMBER IN SORROW MEMBERS WHO HAVE PASSED AWAY

*JULY 2021

Ester Barton
 Darrell W. Powell
 Katherine S. Howell
 Leslie D. Royal
 *Not Listed Previously

AUGUST 2021

Bessie K. Timmins
 Graylayn M. Lesesne
 Walter H. Beechem
 Lorenza Davis
 Rudolph Williford, Sr.
 Kenneth R. Hinds
 William B. Jones
 Michael Harper
 Lucille B. Melvin
 Carmella E. Taylor
 Donald G. Wiggins
 Howard L. Rodgers
 Edward S. Chatham
 Jim Thomas
 Richard E. Coffman
 Noretta D. Smith

SEPTEMBER 2021

Andra S. Endel
 Dennis M. Young
 Kenneth F. Sasser, Sr.
 George H. Rhoden
 Weary J. Carter
 Rosale West
 Lee R. Sanford
 Betty H. Peeples
 Patricia M. Moitt
 Joyce B. Mosley
 Charlie T. Davis

OCTOBER 2021

Betty Boos
 James W. Tolbert
 Douglas A. Tilley
 Harold E. Quillin
 Samuel Aldridge
 Nancy Richardson
 Anne F. Hedgecoth
 Thomas G. McElhinney
 James L. Connell
 Willie J. Curry

Kathleen Turner

NOVEMBER 2021

James L. Rumph
 Lillian T. Stewart
 James A. Dasher
 Marvin E. Rowell
 Vonceil Harvey
 Elizabeth L. Wilson
 Lawrence R. Self, Jr.
 Ruth O. Bergmann
 Anna T. Johnson
 Robert L. Scussel
 Richard E. Smith
 Darlene G. Tye
 Royce W. Carlton
 Charles D. Suits, II
 Greer B. Williams

*DECEMBER 2017

Betty J. Patterson

DECEMBER 2021

Robert J. Hicks
 John L. Halman
 June I. Cox
 Tommy P. Byrd
 Gwendolyn E. Bush
 Kenneth L. Hall
 James L. Byrd
 Ivan C. Clare
 Lynn D. Miller

WELCOME NEW REA MEMBERS 2021-22

Nancy O'Donnell	Alan D. Newton	Cheryl L. Brown	Gloria A. Jackson
Patricia J. Everett	James Carrell	Maurio Pough	Adraine L. Head
Peggy Crawford	Tammy Gray	Von Zimmerman	Michael A. Clinch
Ronald Grover	Tyson Epps	Tracey L. Griffin	Ann L. Offenberg
Charlie McNeil	Linda Kriegsmann	Sirretta Williams	Patrick McCormack
Benita Dawson	Kathy M. Jenkins	Tyrone Jackson	J. Juanita Dixon
Shelia R. Bailey	Eddie Ross	Ralph J. Murphy	Timothy W. Barnett
Johnica Smith	Karen S. Dailey	Mark D. Crumrine	Michael P. Hill
Philip Boston	Arnita L. Curry	Raymond D. Riley	
Tiffany McCloud	Parison Manigo	Donald Berry	
Jimmy L. Smith	Kenneth Greuter	Cheryl K. Wicker	



Update on the General Employees, Correctional Officers and Police and Fire Pension Plans: By Richard Wallace

The Financial Advisor report on the General Employees and Correctional Officers Pension Plans for Calendar Year 2021 (12/31/2020 to 12/31/2021) shows a positive return of 12.15% or a dollar Gain of \$298,634,320. (Below is the Asset Value and Return per the RVK reports).

Date	Asset Market Value	Return of Assets
12/31/2018	\$2,107,578,103	
12/31/2019	\$2,342,377,799	17.50%
12/31/2020	\$2,469,519,078	11.18%
12/31/2021	\$2,664,636,142	12.15%

The Trustees and staff continue to follow the recommendations to diversify the asset investments into different areas such as US Equities, International Equities, Fixed Income, Real Estate and Other Diversifying assets in order to protect against big changes in any one market sector. Currently, the funds are around 64.31% invested in U.S. and International Equities.

The **Police and Fire Pension Fund** also ended up having a very good year. The Financial Advisor **report on the Police and Fire Pension Fund for Calendar Year 2021 (12/31/2020 to 12/31/2021) shows a positive return of 14.28% or a dollar Gain of \$340,126,145.** (Below is the Asset Value and Return per the RVK reports).

Here are the numbers for Police and Fire. (Courtesy of the Jacksonville Police & Fire Pension Fund).

Date	Asset Market Value	Return of Assets
12/31/2018	\$1,915,136,898	
12/31/2019	\$2,165,594,144	20.41%
12/31/2020	\$2,391,752,220	13.60%
12/31/2021	\$2,702,782,782	14.26%

Currently, the Police and Fire funds are around 65.07% invested in U.S. and International Equities. Thanks to the Pension Fund staffs, the Pension Fund Advisors and the markets for the positive return on investments. We all hope and pray for continued high investment returns to put our pension funds in good financial condition.

The **General Employees and Correctional Officers Pension Fund Trustees** meet the fourth Thursday of every month at 2:00 PM in City Hall or lately via a Zoom meeting and the Public is welcome.

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Important!!

Check the REA website often for up to date news about our next meeting, when it will take place and where it will be. Also, call the office for information at 904-353-2400. 9am - 2pm Tuesday - Thursday.

REA Real Scoop Staff

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