STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, Sc. **WORKERS' COMPENSATION COURT**

	)	
	)	
VS.	)	**W.C.C. NO. –**
	)	
	)	

PETITION FOR SETTLEMENT FOR LUMP SUM OPEN MEDICALS

Respectfully represents Petitioner and Respondent(s) as follows:

1. That on , Petitioner sustained the following injuries:

arising out of and in the course of employment with the Respondent.

2. That the Petitioner was incapacitated from

to as a result of the compensable injuries.

3. That the Respondent has paid compensation to the Petitioner for not less than twenty-six (26) weeks.

4. That the payment of a lump sum in lieu of future weekly benefits will be in the best interest of all parties involved.

5. That Petitioner hereby represents that, to the extent that any other new, separate, different, omitted, specific or permanent injuries were sustained, any other physical or psychological effects resulted or flowed from the Petitioner's injuries, the Petitioner expressly includes and incorporates them in this Petition.

6. That the Petitioner has incurred medical expenses in accordance with the Workers' Compensation Act as a result of the aforementioned injuries, but that, upon

information and belief of the parties, all such medical bills incurred to date either have been paid or will be paid by the Respondent if duly and diligently presented.

7. Petitioner will hold

and harmless from any action to recover any past or future payments made by Medicare for these work-related injuries.

8. The amount of the settlement as determined under the Workers' Compensation Act to be paid by the Respondent to the Petitioner in lieu of all future indemnity benefits under the Workers' Compensation Act, whether for weekly indemnity, or specific compensation, is the sum of $ and , counsel for the employee, requests a fee in the amount of $ to be drawn from the proceeds of the settlement resulting in a net payment of $ to the employee.

9. The net settlement to the Petitioner in the amount of $ represents a lifetime settlement over the Petitioner's life expectancy of years/ weeks at $ per week.

10. The parties have agreed, that in consideration of the amount set forth in the settlement, that the employer and, if applicable, its insurer, shall remain liable to pay for reasonable and necessary medical and related hospital services as well as prescription costs incurred subsequent to the date of the order approving the petition for settlement which are necessary to cure, relieve or rehabilitate the employee from the effects of the following injuries:

until further order or notice of this Court.

11. Attached hereto as Appendix A are the names and addresses of all medical care providers who have treated the employee.

12. The employee's claims for medical expenses in the future shall not be barred by the provision of R.I.G.L. §28-35-45 in that the respondent has explicitly waived this defense in any future proceedings to secure payment of medical expenses.

WHEREFORE, the parties pray that the employee's claim for future benefits be settled for the sum of $ and that the Court order that the employer shall remain liable for future medical expenses and the parties will ever pray.

_____ _____

Attorney for Petitioner Employee

_____

Attorney for the Respondent(s)

STATE OF RHODE ISLAND

Providence,SC.

In _____, on the _____day of _____, 20 __, before me personally appeared the Petitioner, , to me known and known by me to be the party executing the above Petition, and first being sworn and deposes and says that the facts set forth in the Petition are true and that the lump sum settlement herein prayed for would be in the best interests of the Petitioner.

_____

NOTARY PUBLIC