

**SANFORD POLICE OFFICERS' RETIREMENT SYSTEM  
PENSION BOARD DISABILITY HEARING-DENDEKKER  
Thursday, February 4, 2016 – 12:30 P.M.**

**1. Call to Order and Roll Call**

The meeting was called to order at 12:30 a.m. by the Chairman, Darrel Presley. The following members were present: Bill Erwin, John Dovydaitis, and Michael Taylor. Also in attendance was Scott Christiansen, the Plan Attorney, the applicant, Ms. Carlena Dendekker, and her attorney, Ms. Kelli Hastings.

**2. Review Medical Information and Disability Application**

Scott Christiansen began by reviewing the disability processes and procedures with everyone. He went on to review the disability criteria detailed in the Pension Plan Ordinance explaining that the Trustees were also going to have to determine whether or not the disability occurred in the line of duty. Because Ms. Dendekker has less than 5 years of credited service with the Sanford PD, she is only eligible to receive an in-line of duty disability.

Ms. Kelli Hastings then reviewed the case with the Board and provided everyone with copies of the *Stipulation Resolving Outstanding Issues for 01/29/16 Final Hearing* (copy attached for the record).

The Trustees then asked several questions regarding the medical information provided in the applicant's file. After the questions were answered by Ms. Dendekker and Ms. Hastings, a motion was made by John Dovydaitis to deny the in-line of duty disability application. The motion was withdrawn and additional discussion took place. Following the discussion, another motion was made by John Dovydaitis to deny the disability application for failure to prove that the disability is total and permanent. The motion dies for lack of a second. A lengthy discussion ensued with specific focus on the four items detailed in Dr. Nicoloff's letter dated January 28, 2016 (page 4 of 17 – copy attached for the record).

A motion was then made by Bill Erwin to agree to a continuation of the disability hearing if Ms. Dendekker and her attorney can address these four items and bring the explanations back to the Board for their review. Seconded by Michael Taylor, the motion carried unanimously.

Ms. Dendekker and her attorney left the room for a brief consultation. Upon returning they agreed to the stipulation and will contact Scott's office when they are ready to proceed with the continuation.

**3. Adjournment**

The meeting ended at 1:35 p.m.

For the Board



STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS  
OFFICE OF THE JUDGES OF COMPENSATION CLAIMS  
ORLANDO DISTRICT OFFICE

Carlana denDekker,  
Employee/Claimant,

OJCC Case No. 14-025504NPP

vs.

Accident date: 7/31/2014

City of Sanford/Johns Eastern Company,  
Inc./City of Sanford,  
Employer/Carrier/Service Agent.

Judge: Neal P. Pitts

ORDER APPROVING STIPULATION RESOLVING OUTSTANDING ISSUES  
FOR 1/29/2016 FINAL HEARING

This cause having come on pursuant to the Stipulation Resolving Outstanding Issues for 1/29/2016 Final hearing, signed by the parties and filed with DOAH on January 26, 2016, and the undersigned having reviewed the Joint Stipulation and otherwise being duly advised in the premises, it is, therefore,

CONSIDERED, ORDERED, AND ADJUDGED as follows:

1. The Stipulation Resolving Outstanding Issues for 1/29/2016 Final hearing is hereby **approved**.
2. The Employer/Carrier has accepted compensability and paid benefits from November 1, 2015.
3. The Employer/Carrier has paid past indemnity benefits of \$17,056.99, plus penalties of \$3,411.40 and interest of \$1,150.27, for a total of \$21,618.66 for all indemnity benefits owed prior to November 1, 2015.

The Employer will reimburse the claimant sick and vacation time that the claimant would be entitled to pursuant to the acceptance of the claimant's cardiac condition as compensable.

4. The Employer/Carrier will pay outstanding medical bills pursuant to the fee schedule relating to the compensable cardiac condition from July 31, 2014 to present and continuing once the bills are submitted on proper form.
5. The Employer/Carrier has authorized Dr. Kakkar for future treatment related to the claimant's industrial cardiac condition.
6. The Employer/Carrier agrees that the claimant's attorney is entitled to attorney's fees and costs. Jurisdiction is hereby reserved as to the amounts.
7. Notwithstanding the limitations contained in §440.20(7), Fla. Stat. (1994), the parties stipulate that no additional penalties or interests shall be paid on the amount contained in the Stipulation, so long as it is paid within thirty (30) days of the date of this Order.
8. The parties are directed to comply with the terms thereof.

DONE AND ORDERED in Chambers in Orlando, Orange County,  
Florida this 28th day of January, 2016.



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**Neal P. Pitts,**  
Judge of Compensation Claims

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On the 6/23/2000 NST, the nuclear imaging report was not found in the records received. The Venous Doppler showed only superficial vein thrombosis and the ECG was normal. During a period beginning on 6/18/2002 and 6/13/2011, Mrs. DenDekker was being followed in an outpatient setting at Palm Springs Family Care by Dr. James Badman. During this nine (9) year period the medical records reflect multiple complaints which could be considered to be associated with the cardiovascular system and heart disease. These complaints included chest tightness, shortness of breath, dizziness, headache, vertigo and memory loss. In addition, she complained of insomnia, panic attacks, depression and anxiety. Mrs. DenDekker's medical record is quite extensive and I chose only to highlight those records that most likely related to her cardiac condition during the time period leading up to her employment and during her employment as a Police Officer for the City of Sanford.

I believe that the records presented do not provide a complete and thorough understanding of Mrs. DenDekker's medical history leading up to the discovery of her complaints of near fainting episodes, blurring vision, dizziness, and migraine headaches, and diagnosis of non-sustained ventricular tachycardia on 7/31/2014. In summary, I believe that the following record issues may need to be considered before the existence of a pre-existing heart condition can be confirmed or ruled out:

1. 6/23/2000 – Nuclear Stress Test performed at Orlando Regional Hospital  
Missing nuclear imaging findings.
2. 9/16/2003 – Cardiology Consult to Dr. C. Curry at FHG requested by Dr. J. Badman  
Missing records or explanation as to why this was not done.
3. 7/21/2010 – Cardiology Consult to Dr. Barnett at CFC requested by Dr. J. Badman  
Missing records or explanation as to why this was not done.
4. 6/18/2002 – 6/13/2011 – Dr. J. Badman's medical records are handwritten and many notations are difficult to read or illegible. In light of the complexity of this case and the potential for pre-existing conditions, further clarification may be necessary from Dr. Badman himself.

Mrs. DenDekker's past medical history also includes two truck accidents where she sustained injuries to her back and head. While employed with Rapp Trucking, Mrs. DenDekker was involved in a tractor trailer accident in 2006 which resulted in a back injury that required thoracic fusion of the T5/6 vertebrae and subsequent follow-up surgery. And from her disability deposition records, there was apparently another accident in which she suffered a head injury, however the details of which are unclear and therefore it would be difficult to determine if there could be any residual impact on her health today. Prior to Mrs. DenDekker's employment with the Sanford Police Department she was also status post appendectomy, cholecystectomy and complete hysterectomy due to cervical cancer. From the records provided it appears that she remains cancer free at this time.