
From: Diaz-Greco, Gilma M. (COE)
Sent: Friday, July 25, 2014 4:19 PM
To: Sanchez, Rodzandra (COE)
Subject: Ralph G. Patino, Board Member, Public Health Trust- INQ 14-182

INQ 14-182

From: Centorino, Joseph (COE)
Sent: Thursday, July 24, 2014 2:54 PM
To: 'Cindy Dominguez'
Cc: Diaz-Greco, Gilma M. (COE); Barrett, Lynn (lynn.barrett@jhs-miami.org); Shy, Eugene (CAO)
Subject: INQ - Ralph G. Patino, Board Member, Public Health Trust

Ms. Dominguez:

You have inquired on behalf of Ralph G. Patino, Esq., a newly-appointed member of the Public Health Trust, regarding whether he may have a prohibited conflict of interest in connection with the representation by his firm, Patino & Associates, of the estate of Noel Perez Marrero in a worker's compensation case, where Jackson Memorial Hospital possesses a lien against a recovery in the amount of \$378,755.84. Mr. Patino has stated that, in the event of a successful outcome on behalf of the plaintiff, JMH could be paid the entire sum that is owed for health care services provided to the decedent. In the event that the plaintiff does not prevail or the recovery is less than the lien amount, then the Estate would owe the unpaid amount to JMH.

As a member of the PHT, Mr. Patino is bound by the Miami-Dade County Conflict of Interest and Code of Ethics, as well as a higher standard of ethics provided for in the PHT by-laws, under which even an appearance of impropriety could be considered an ethical violation. Pursuant to Section 2-11.1(c) of the Code, he would be unable to contract with or transact any business with JMH or JHS. Under Section 2-11.1(j) of the Code, Mr. Patino could not hold any outside employment that would impair his independence of judgment in the performance of his public duties. Both of the latter sections could be applied in this case.

Because of the above restrictions, neither Mr. Patino, nor any member of his law firm, may be engaged in any adversary action toward JMH, or be involved in any negotiation that might lead to a compromise or discount of the lien held by JMH. Since JMH is not a party to the lawsuit, and at this point has no adverse position to Mr. Patino or his client regarding the lawsuit, I do not find that there is any prohibited conflict of interest in Mr. Patino remaining as the plaintiff's lawyer in litigating or settling the case with the defendant, provided that the issue of the JMH lien is not discussed, considered or compromised in any way in connection with that representation. However, Mr. Patino may not negotiate any reduction in the lien held by JMH in order to effect a settlement, and, if he were to determine that it would be in his client's best interest to do so, he and his firm would be forced to withdraw from the case. In the event of an unsuccessful litigation or any final determination that did not result in the full payment of the lien, Mr. Patino and his firm could not be engaged in any further representation of the Estate in connection with that lien, either for the purposes of litigation or settlement.

I would be happy to discuss this further with Mr. Patino should the need arise.

From: Cindy Dominguez [<mailto:CDominguez@patinolaw.com>]
Sent: Tuesday, July 15, 2014 4:39 PM
To: Centorino, Joseph (COE)
Subject: Perez Marrero, Noel vs Premier Event Design, Incorporated:

Good afternoon Mr. Centorino:

Attached please find correspondence concerning the above referenced matter. Please note that same will be mailed to your office as well.

Should you have any questions or difficulty opening said attachment, please advise and I will be happy to assist you.

Thank you,

Cindy

Cindy Dominguez

Legal Assistant to

Ralph G. Patino, Esquire

Elizabeth Vega Patino, Esquire

Allison J. Leonard, Esquire

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PLEASE REPLY TO
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ST. CROIX OFFICE
46 (1138) KING STREET, S-203
CHRISTIANSTED, ST. CROIX
U.S. VIRGIN ISLANDS 00820

July 15, 2014

Sent Via U.S. Mail/Email CENTORI@miamidade.gov

Joseph M. Centorino, Executor Director
Miami-Dade County Commission on Ethics and Public Trust
19 W. Flagler Street, Suite 820
Miami, FL 33130

Re: Patino & Associates, P.A.

Perez Marrero, Noel vs Premier Event Design, Incorporated

JMH Patient Account No.: 4000 637 0772

JMH Medical Record No.: 439 3468

Our File No.: 2007-001

Dear Mr. Centorino:

Pursuant to your request, the following is a detailed explanation of the above referenced matter and Jackson Memorial Hospital's involvement in same. Patino & Associates, P.A. and Elizabeth Patino, represent the interests of the Estate of Noel Perez Marrero in connection with a worker's compensation case. Mr. Perez Marrero was admitted to Jackson Memorial Hospital on October 27, 2011 after sustaining a spinal infarction at the work place. Mr. Perez Marrero remained inpatient at Jackson Memorial Hospital until the date of his death which occurred on November 30, 2011.

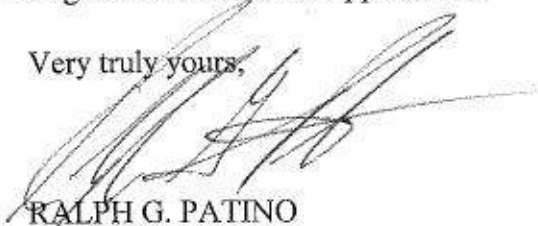
Recently, Mr. Ramon Perez, Jackson Memorial Hospital's Billing Records Custodian informed us that as a matter of course, the Jackson Memorial Hospital billing system codes this account as a worker's compensation claim and makes an automatic adjustment. The new balance is \$378,755.84. At no time has this office requested or asked for a discounted amount.

As this matter currently stands, Final Hearing is set for November 12, 2014. Should our client prevail in this matter, the worker's compensation insurance carrier, CastlePoint National Insurance Company, will be responsible to pay Jackson Memorial Hospital for the outstanding amounts owed. However, in the event that we are not successful in this matter, it is anticipated that Jackson Memorial Hospital will not be able to obtain any reimbursement for this account as the patient had no assets at the time of his death and to the best of our knowledge had no other assets other than the award of monies associated with this litigation which would flow through the Estate.

As you can discern, there is a possibility that given our firm's efforts, Jackson Memorial Hospital will be paid the \$378,755.84. The difficulty arises in so much as if the Estate does not prevail the Estate will remain owing Jackson Memorial Hospital \$378,755.84.

We seek your opinion as to how to proceed. Your thoughts and advices are appreciated.

Very truly yours,

A handwritten signature in black ink, appearing to read 'R. G. Patino', written over a horizontal line.

RALPH G. PATINO

RGP/cd