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## **LAKE WORTH Jury awards former Lake Worth** police officer \$7.1 million in health care benefits dispute Joseph Viera says he suffered debilitating injuries on the beat in the early 2000s, and that the city of Lake Worth Beach denied him health insurance. Julius Whigham II Palm Beach Post Published 5:13 a.m. ET Aug. 23, 2023 | Updated 10:34 a.m. ET Aug. 23, 2023

The Palm Beach Post Pregnant women's 'haven' Biden's in Tequesta aims to grow budget cut deficit eNewspaper: It's like the paper, only paperless. Get a replica of the paper on your digital doorstep with eNewspaper. Palm Beach Post LAKE WORTH BEACH — A jury has awarded a former Lake Worth Police Department officer a \$7.1 million verdict in his legal battle with the city over health care benefits.

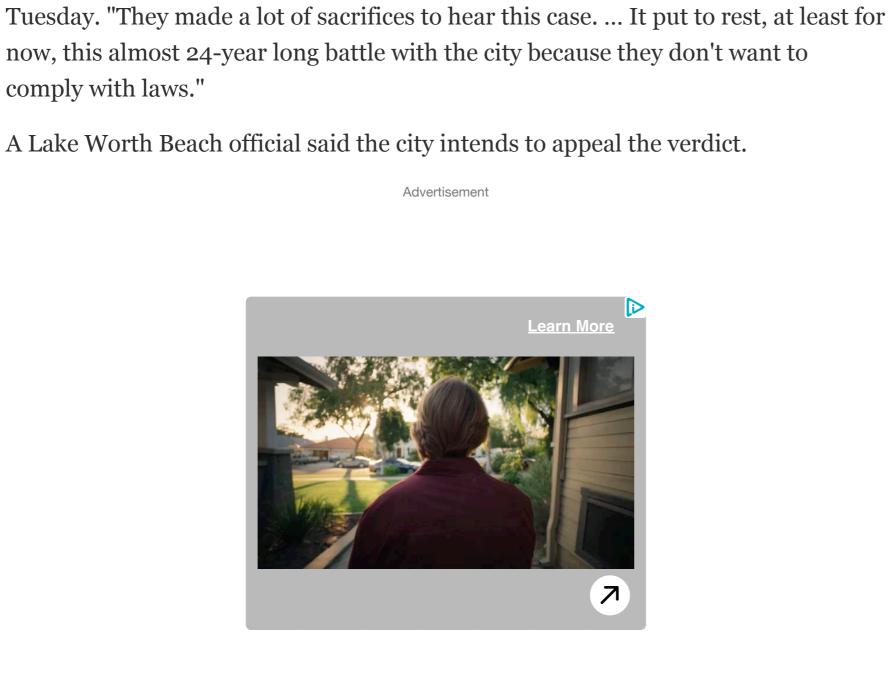
It rendered its verdict in favor of Joseph Viera on Aug. 16, following a weeklong trial before Circuit Judge Luis Delgado. It found that the city of Lake Worth — now known as Lake Worth Beach — failed to comply with the terms of a settlement it had reached with Viera in 2018, including failing to provide required payments and benefits. The settlement followed a lawsuit that Viera filed in 2010 in which he sought

2008. Before that, Viera and the city were involved in eight years of litigation over worker's compensation claims. Advertisement Learn More []

benefits related to injuries he sustained in the early 2000s while an officer with the

department, which was absorbed by the Palm Beach County Sheriff's Office in

"We're extremely grateful for the sacrifices of the jury," Viera said of the verdict



"The city of Lake Worth Beach respects the jury's decision in the case with Mr.

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Lake Worth Beach sought to cap benefits at \$1 million

injured that December when he was involved in a two-car crash while responding

DID YOU KNOW?

Viera, now 56, joined the department in April 2000. He said he was severely

to a call involving a woman being attacked by two men. He was also injured

months earlier in a fall while chasing a suspect.

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and in need of multiple surgeries.

the injury was not catastrophic.

contract trial.

Viera's attorney Michael Pike said.

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Viera," City Manager Carmen Davis said, declining further comment.

her son

Download Our App Viera, who now lives in Colorado, said the severe injuries left him unable to work

City officials challenged Viera's claim for benefits beyond a \$1 million settlement

Viera was "milking the system" after hurting his knee in a crash, and stating that

from worker's compensation, with an attorney arguing in a 2017 court hearing that

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Viera's attorneys pushed back against the city's claims during the breach-of-

"As I told the jury, this case is a hit-and-run by the city, except Mr. Viera ran

toward his obligations to protect a female being attacked, while the city ran from

Viera said the city's actions left him with no choice but to pursue legal remedies.

not me wanting a career of suing them. It's they've made a career out of not

"The city said during the trial that I made a career out of suing them," he said. "It's

its obligations to protect Mr. Viera, a catastrophically injured officer, for decades,"

complying with the law, not complying with the contract. They've left me no choice other than having to file these lawsuits." Fatal wreck: PBSO: Teen drove at speeds topping 100 mph in moments before Pahokee crash that killed two Advertisement

Viera and the city reached a settlement agreement in May 2018, with the city agreeing to pay him benefits equal or greater than what it is paying to its humanresources director, according to court documents. Attorney Daniel Lustig said Viera qualified for Social Security disability benefits, thus rendering the city's argument that Viera wasn't catastrophically injured invalid. "The city knew that Mr. Viera was receiving Social Security benefit payments for years," Lustig said. "In fact, the the city forced him to apply for the benefits back in

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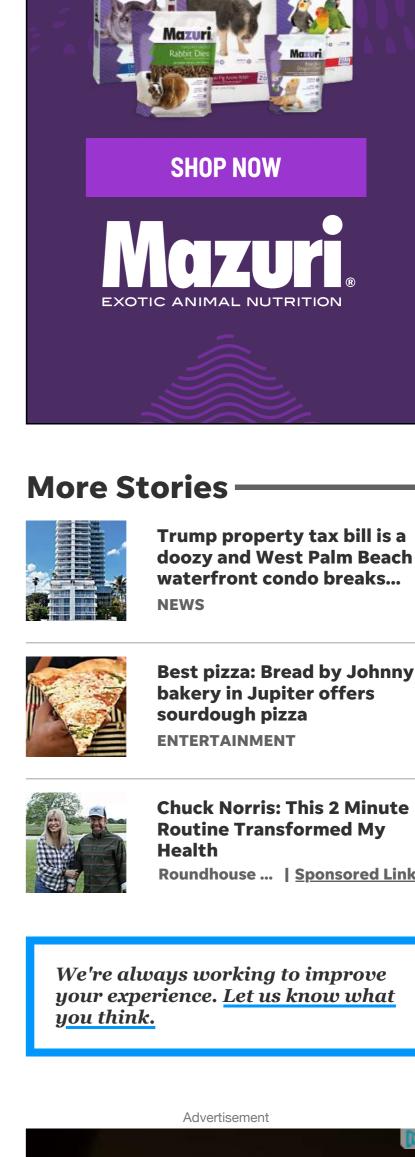
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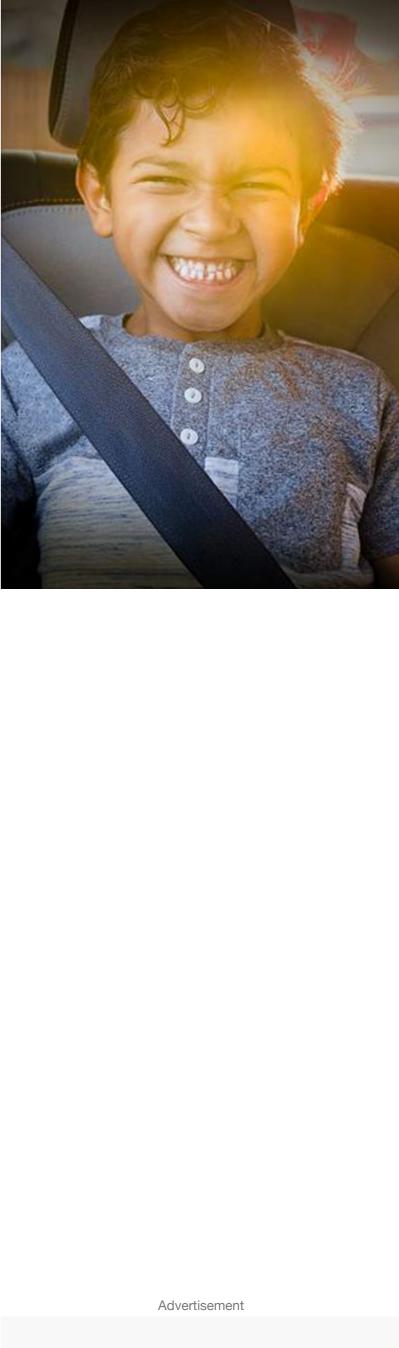
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2001. They knew that he was getting those benefits, so they could not have challenged under the law the fact that he was catastrophically injured." State law mandates coverage for injured officers, **families** The Florida Legislature in the 1990s passed a law designed to make sure police officers and their families continue to receive health coverage if on-the-job injuries made it impossible for them to work.

The law requires an agency to provide health insurance for the injured officer, his

or her spouse and their children who are younger than 25. Even if the officer dies,

the spouse and children would continue to receive coverage, according to the law.

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Circuit Judge Cheryl Caracuzzo initially ruled in the 2010 that Viera waited too

long to demand coverage under the law because he filed a lawsuit after a four-year

But Florida's Fourth District Court of Appeal overruled the decision, finding that

extended from when the lawsuit was filed. It ruled the city should provide coverage

and pay medical bills incurred by Viera retroactively to January 2006, four years

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