

IN THE DISTRICT COURT OF
APPEAL,
FIRST DISTRICT, STATE OF FLORIDA

SEMINOLE COUNTY and
GALLAGHER BASSETT
SERVICES, INC.,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED.

Appellants,

CASE NO. 1D03-2569

v.

DONALD OSBORNE,

Appellee.

_____ /

Opinion filed July 14, 2004.

An appeal from an order of the Judge of Compensation Claims.
Thomas G. Portuallo, Judge.

Michael Broussard, Sarah P. Reiner and Barbara A. Eagan of Broussard, Cullen,
DeGailler & Eagan, P.A., Orlando, for Appellants.

Stewart L. Colling, Orlando; Bill McCabe, Longwood, for Appellee.

PER CURIAM.

In this workers' compensation case, we reverse the award of an EEG,
biofeedback, a repeat EMG/nerve conduction study and a bone scan because the
managed care grievance procedure had not been exhausted and, therefore, the judge

of compensation claims lacked jurisdiction to consider the claim for those treatment modalities. See Castro v. AT & T Wireless Servs., Inc., 780 So. 2d 917 (Fla. 1st DCA 2000). In all other respects, the order is affirmed.

AFFIRMED IN PART and REVERSED IN PART.

BOOTH, WEBSTER and DAVIS, JJ., CONCUR.