

By Senator Silver

38-180-98

1 A bill to be entitled
2 An act relating to the Department of Health;
3 providing an appropriation for the relief of
4 Vernelle Lowder, to compensate her for damages
5 she sustained due to the negligence of the
6 Department of Health and Rehabilitative
7 Services; providing an effective date.

8
9 WHEREAS, a complaint for damages was filed on behalf of
10 Vernelle Lowder in Dade County (Case Number 93-16747-CA-02),
11 to seek compensation for damages sustained by Vernelle Lowder
12 due to the failure of the Department of Health and
13 Rehabilitative Services to use proper procedures in testing,
14 handling, storing, and transporting Vernelle Lowder's blood
15 and the erroneous report by the department that her blood was
16 HIV-positive, and

17 WHEREAS, as a direct and proximate result of the
18 actions of the Department of Health and Rehabilitative
19 Services, Vernelle Lowder has suffered mental and physical
20 pain and suffering and costs, and

21 WHEREAS, an amended final judgment was entered against
22 the State of Florida Department of Health and Rehabilitative
23 Services on October 19, 1994, awarding Vernelle Lowder the sum
24 of \$350,000, to bear interest at the rate of 12 percent per
25 annum, NOW, THEREFORE,

26
27 Be It Enacted by the Legislature of the State of Florida:

28
29 Section 1. The facts stated in the preamble to this
30 act are found and declared to be true.

31

