

Bill No. SB 36

Amendment No. 1 Barcode 885512

<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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The Committee on Health, Aging and Long-Term Care recommended the following amendment:

Senate Amendment (with title amendment)

On page 3, lines 5-16, delete those lines

and insert:

Section 2. Halifax Hospital Medical Center, a special taxing district in Volusia County d/b/a Halifax Medical Center, is authorized and directed to appropriate from funds of the medical center not otherwise appropriated to compensate Steven Mitchell for injuries and damages he sustained as a result of the negligence of employees of Halifax Medical Center and to draw a warrant payable to the trustee for the special needs trust created for the benefit of Steven Mitchell in the amount of \$50,000 and to pay the trustee for the special needs trust fund created for the benefit of Steven Mitchell a sum of \$15,000 per month for the rest of Steven Mitchell's life; and to draw a warrant in the amount of \$825,000, of which \$200,000 is for reimbursement of the law firm of Searcy, Denney, Scarola, Barnhart and Shipley, P.A.,

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1 Steven Mitchell's attorneys, for costs incurred by the firm,
 2 and \$625,000 is for compensation of the law firm of Searcy,
 3 Denney, Scarola, Barhart, and Shipley, P.A., for professional
 4 fees incurred by Steven Mitchell in litigation on this claim.

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 1, line 21, through
 10 page 2, line 26, delete those lines

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12 and insert:

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14 the emergency room for hours until some friends could pick him
 15 up, and

16 WHEREAS, when his friends picked him up, they found him
 17 unable to control his arms in a meaningful way and, after they
 18 protested that it was inappropriate to discharge him, medical
 19 personnel nevertheless discharged him without an evaluation
 20 and without due care, and

21 WHEREAS, by the next day, Mr. Mitchell was experiencing
 22 respiratory problems and severe pain and could not move his
 23 legs, and

24 WHEREAS, after he was subsequently readmitted to the
 25 emergency department, it was immediately determined that his
 26 spinal cord had been damaged so as to cause quadriplegia, and

27 WHEREAS, Steven Mitchell currently resides in Tennessee
 28 and is in need of significant care and medical equipment and
 29 24-hour-a-day attendant care, and

30 WHEREAS, a lawsuit was filed against the Halifax
 31 Hospital Medical Center, alleging that the negligence of

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1 hospital employees caused the injuries to Steven Mitchell, and
 2 WHEREAS, after years of litigation but prior to trial,
 3 the parties began settlement negotiations in an effort to
 4 resolve this matter, and

5 WHEREAS, the parties have reached an agreement whereby
 6 the Halifax Hospital Medical Center would pay a total of
 7 \$2,500,000 to resolve this claim, and

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