

By Representative Attkisson

1 A bill to be entitled
2 An act for the relief of Towanna Denise
3 Hopkins, incompetent, by and through Willie Lee
4 Hopkins, her father and legally appointed
5 guardian, Robert Keith Bowman, Jr., son of
6 Towanna Denise Hopkins, and Willie Lee Hopkins,
7 individually; authorizing and directing the
8 Florida Board of Regents, the University of
9 South Florida, and the USF Health Sciences
10 Center Insurance Company to compensate them for
11 injuries and damages sustained as a result of
12 the negligence of agents of the Florida Board
13 of Regents by and through the University of
14 South Florida College of Medicine; providing an
15 effective date.

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17 WHEREAS, on April 25, 1996, Towanna Denise Hopkins was
18 a 31-year-old single mother raising her 15-year-old son,
19 Robert Keith Bowman, Jr., and

20 WHEREAS, Towanna Denise Hopkins, who was otherwise in
21 good health, underwent surgery to remove a benign liver tumor
22 on April 25, 1996, and

23 WHEREAS, physicians, including residents from the
24 University of South Florida, who were agents and employees of
25 the Board of Regents of the State of Florida were charged with
26 the responsibility for the surgery performed on Towanna Denise
27 Hopkins, as well as for her post-surgical care and management,
28 and

29 WHEREAS, the surgical techniques that were employed
30 resulted in substantial abdominal blood loss of approximately
31 21 liters during the course of the surgery, and

1 WHEREAS, immediately following her surgery, Towanna
2 Denise Hopkins continued to experience significant blood loss,
3 which continued through the evening after the surgery, as well
4 as the next morning, and

5 WHEREAS, on the morning of April 26, 1996, immediate or
6 emergency surgery was scheduled to correct post-surgical
7 bleeding, and

8 WHEREAS, emergency surgery did not take place, and
9 surgery was not performed until 1:30 p.m. on April 26, 1996,
10 and

11 WHEREAS, as a result of uncorrected or uncontrolled
12 post-operative bleeding, Ms. Hopkins went into cardiac and
13 respiratory arrest during the surgery that was conducted on
14 April 26, 1996, resulting in profound and substantial
15 irreversible anoxic brain damage, and

16 WHEREAS, as a result of these injuries, Towanna Denise
17 Hopkins is in a minimally conscious or comatose state with
18 little or no cognitive function and has been and remains a
19 patient at University Village Nursing Home and requires
20 continuous 24-hour-a-day care, and

21 WHEREAS, Towanna Denise Hopkins has been caused to
22 suffer physical incapacitation, mental pain and suffering,
23 disfigurement, loss of the enjoyment of life, past and future
24 medical expenses, loss of past wages and of future earning
25 capacity, disability, and expenses for medical and nursing
26 care and treatment, and

27 WHEREAS, Towanna Denise Hopkins' son, Robert Keith
28 Bowman, Jr., sustained damages, including permanent loss of
29 the services, comfort, companionship, and society of his
30 mother, and

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1 WHEREAS, a lawsuit was brought against the Florida
2 Board of Regents and the insurer for the University of South
3 Florida's Medical School, the USF Health Sciences Center
4 Insurance Company, and

5 WHEREAS, this matter was scheduled for jury trial
6 during the week of June 19, 2000, and

7 WHEREAS, prior to trial, the parties began negotiations
8 in an effort to settle this matter and provide adequate
9 compensation to Ms. Hopkins and her family for their losses,
10 and

11 WHEREAS, on July 19, 2000, the parties signed a
12 settlement agreement, in which they agreed to a compromise
13 settlement to be paid pursuant to the settlement agreement,
14 and

15 WHEREAS, the Florida Board of Regents and the USF
16 Health Sciences Center Insurance Company support the claim
17 bill and have agreed to assist in the passage of the claim
18 bill, NOW, THEREFORE,

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20 Be It Enacted by the Legislature of the State of Florida:

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22 Section 1. The facts stated in the preamble to this
23 act are found and declared to be true.

24 Section 2. The Florida Board of Regents, the
25 University of South Florida, and the USF Health Sciences
26 Center Insurance Company, collectively, are authorized and
27 directed to appropriate the sum of \$3,260,563 to compensate
28 Towanna Denise Hopkins, incompetent, by and through her father
29 and legally appointed guardian, Willie Lee Hopkins, for past
30 and future damages arising out of injuries she sustained as a
31 result of the negligence of agents of the Florida Board of

1 Regents by and through the University of South Florida College
2 of Medicine.

3 Section 3. The Florida Board of Regents, the
4 University of South Florida, and the USF Health Sciences
5 Center Insurance Company, collectively, are authorized and
6 directed to appropriate the sum of \$333,333 to compensate
7 Robert Keith Bowman, Jr., son of Towanna Denise Hopkins, for
8 past and future damages arising out of injuries sustained by
9 his mother, Towanna Denise Hopkins.

10 Section 4. The Florida Board of Regents, the
11 University of South Florida, and the USF Health Sciences
12 Center Insurance Company, collectively, are authorized and
13 directed to appropriate the sum of \$100,000 to compensate
14 Willie Lee Hopkins, individually, for past and future medical
15 expenses incurred in providing care for his daughter, Towanna
16 Denise Hopkins.

17 Section 5. The Comptroller is directed to draw his
18 warrant in favor of Willie Lee Hopkins, father and legally
19 appointed guardian of Towanna Denise Hopkins, for the benefit
20 of Towanna Denise Hopkins, in the sum of \$3,260,563 upon funds
21 of the Florida Board of Regents, the University of South
22 Florida, and the USF Health Sciences Insurance Company,
23 collectively, in the State Treasury not otherwise appropriated
24 and the State Treasurer is directed to pay the same out of
25 such funds in the State Treasury.

26 Section 6. The Comptroller is directed to draw his
27 warrant in favor of Robert Keith Bowman, Jr., in the sum of
28 \$333,333 upon funds of the Florida Board of Regents, the
29 University of South Florida, and the USF Health Sciences
30 Insurance Company, collectively, in the State Treasury not
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1 otherwise appropriated and the State Treasurer is directed to
2 pay the same out of such funds in the State Treasury.

3 Section 7. The Comptroller is directed to draw his
4 warrant in favor of Willie Lee Hopkins in the sum of \$100,000
5 upon funds of the Florida Board of Regents, the University of
6 South Florida, and the USF Health Sciences Insurance Company,
7 collectively, in the State Treasury not otherwise appropriated
8 and the State Treasurer is directed to pay the same out of
9 such funds in the State Treasury.

10 Section 8. This act shall take effect upon becoming a
11 law.

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14 HOUSE SUMMARY

15 Authorizes and directs the Florida Board of Regents, the
16 USF Health Sciences Center Insurance Company, and the
17 University of South Florida to compensate Towanna Denise
18 Hopkins, her son, Robert Keith Bowman, Jr., and her
19 father, Willie Lee Hopkins, for injuries and damages they
sustained due to the negligence of agents of the Florida
Board of Regents by and through the University of South
Florida College of Medicine.
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