

By Representative Romeo

1                                   A bill to be entitled  
2           An act relating to Hillsborough County;  
3           providing for the relief of James T. Edwards;  
4           providing for an appropriation to compensate  
5           him for injuries caused by the negligence of  
6           Hillsborough County; providing an effective  
7           date.

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9           WHEREAS, on May 31, 1997, James T. Edwards was at a  
10          party with friends, during which time he fell and injured his  
11          head several times while drinking vodka, and

12                 WHEREAS, James T. Edwards' friends placed him in the  
13          bathtub to help him regain his sobriety and called  
14          Hillsborough County Emergency Medical Services, and

15                 WHEREAS, an operator received the call and, after  
16          hearing that James T. Edwards had been placed in the bathtub,  
17          instructed the caller to remove James T. Edwards from the tub  
18          and place him on a chair, during which time James T. Edwards  
19          was moving his arms and legs, and

20                 WHEREAS, upon arriving at the scene, Hillsborough  
21          County Emergency Medical Services personnel acted contrary to  
22          protocol by failing to place James T. Edwards, who was in an  
23          altered state of consciousness, on a backboard to immobilize  
24          his spine, and

25                 WHEREAS, Hillsborough County Emergency Medical Services  
26          personnel lifted James T. Edwards under his arms and by his  
27          feet so that his body dropped in a U-shaped position and threw  
28          him onto a stretcher, rolled him to the ambulance, and threw  
29          him carelessly into the ambulance, and

30                 WHEREAS, at no time at the scene did Hillsborough  
31          County Emergency Medical Services personnel note any paralysis

1 or priapism, but rather noted that James T. Edwards'  
2 extremities were within normal limits, and

3 WHEREAS, contrary to protocol, James T. Edwards was  
4 taken to Brandon Hospital rather than to a trauma center, and

5 WHEREAS, at the emergency room, James T. Edwards was  
6 found to have a priapism and to have suffered a subluxation of  
7 his spine at C6-7 with a complete spinal cord lesion at that  
8 level, resulting in quadriplegia, and

9 WHEREAS, the two Hillsborough County Emergency Medical  
10 Services personnel have admitted in depositions that, given  
11 his condition, James T. Edwards' spine should have been  
12 immobilized, and

13 WHEREAS, Dr. Henry E. Smoak, an expert in such  
14 emergency procedures, has concluded that under the given  
15 conditions there was a departure in the standard of care on  
16 behalf of Hillsborough County Emergency Medical Services, and

17 WHEREAS, as a result of the negligence of the  
18 Hillsborough County Emergency Medical Services, James T.  
19 Edwards suffers from an inability to walk, bowel and bladder  
20 incontinence, impotence, lower back pain, a decubitus ulcer on  
21 the left buttock, a compromised functioning in both hands, and  
22 pinholes on the side of his tracheotomy, and

23 WHEREAS, a lawsuit was filed and this case was  
24 submitted to an arbitrator to assess the amount of damages,  
25 which amount has not been finalized, NOW, THEREFORE,

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

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

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1           Section 2. The Board of County Commissioners of  
2 Hillsborough County is authorized and directed to appropriate  
3 from funds of the county not otherwise appropriated and to  
4 draw a warrant in the sum of \$8 million, which amount includes  
5 statutory attorney's fees and costs, payable to James T.  
6 Edwards to compensate him for injuries and damages sustained  
7 as a result of the negligence of Emergency Medical Services  
8 personnel of Hillsborough County.

9           Section 3. This act shall take effect upon becoming a  
10 law.

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