

By Senator Campbell

33-67A-02

1 A bill to be entitled
2 An act relating to Halifax Hospital Medical
3 Center, a special taxing district in Volusia
4 County d/b/a Halifax Medical Center; providing
5 for the relief of Steven Mitchell; authorizing
6 and directing Halifax Hospital Medical Center
7 to compensate Mr. Mitchell for personal
8 injuries that he suffered while at Halifax
9 Medical Center; providing an effective date.

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11 WHEREAS, on March 8, 1995, Steven Mitchell, who had
12 traveled from his home in Nashville, Tennessee, to Daytona
13 Beach, was riding his motorcycle northbound on County Road 415
14 in West Volusia County when a motorist pulled out of a side
15 road immediately into Mr. Mitchell's path, causing an
16 accident, and

17 WHEREAS, emergency medical personnel stabilized Mr.
18 Mitchell's neck appropriately and transported him to Halifax
19 Hospital's emergency room, where he was diagnosed, treated,
20 and released, 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

1 hospital employees caused or contributed to the injuries to
2 Steven Mitchell, and

3 WHEREAS, after years of litigation but prior to trial,
4 the parties began settlement negotiations in an effort to
5 resolve this matter, and

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

9 WHEREAS, the agreement between the parties has been
10 reviewed and approved by the circuit court, and

11 WHEREAS, pursuant to the agreement and in accordance
12 with the limits set forth in section 768.28, Florida Statutes,
13 the Halifax Hospital Medical Center has paid Steven Mitchell
14 and his emancipated daughter \$200,000, leaving a total of
15 \$2,300,000 to be paid pursuant to a claim bill, NOW,
16 THEREFORE,

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

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

22 Section 2. Halifax Hospital Medical Center, a special
23 taxing district in Volusia County d/b/a Halifax Medical
24 Center, is authorized and directed to appropriate from funds
25 of the medical center not otherwise appropriated and to draw
26 warrants payable as follows:

27 (1) To Steven Mitchell in the amount of \$15,000 per
28 month into a Special Needs Trust for the remainder of his life
29 to compensate him for injuries and damages he sustained, which
30 will be administered based upon his needs;

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1 (2) To Steven Mitchell in the amount of \$50,000 into
2 the Special Needs Trust;

3 (3) To claimant's attorneys, Searcy, Denney, Scarola,
4 Barnhart & Shipley, P.A., in the amount of \$625,000 as payment
5 of attorney's fees; and

6 (4) To claimant's attorneys in the amount of \$200,000
7 as payment of costs incurred.

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

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