



1 A bill to be entitled
 2 An act relating to Miami-Dade County; providing for the
 3 relief of Jonathan Snell, a minor, and Erika Snell, a
 4 minor, by and through their mother and natural guardian,
 5 Latisha Snell; providing for an appropriation to
 6 compensate them for injuries and damages sustained as a
 7 result of the negligence of Miami-Dade County; providing
 8 for the use of such funds; providing for payment of costs,
 9 attorneys' fees, and outstanding medical bills; providing
 10 for repayment of Medicaid liens; providing an effective
 11 date.

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 13 WHEREAS, on May 26, 1998, 20-month-old Jonathan Snell and
 14 his sister, Erika Snell, age 3, were both run over by a Miami-
 15 Dade County bus, causing severe injuries to their lower
 16 extremities, and

17 WHEREAS, while the children were positioned on a grassy
 18 median off the roadway, the bus, upon making a right-hand turn
 19 too sharply, jumped the curb with its rear wheels and ran over
 20 the children, and

21 WHEREAS, the incident, which occurred at the intersection
 22 of Northwest 14th Avenue and 183rd Street in Miami-Dade County,
 23 Florida, was witnessed by several independent persons and
 24 responsibility for the negligence of the bus operator was not
 25 contested, and

26 WHEREAS, multiple surgical procedures were performed on
 27 both children at Jackson Memorial Hospital by a skilled



28 orthopedic surgeon, Steven Stricker, M.D., and each child has
29 been left with permanent impairment and scarring, and

30 WHEREAS, a lawsuit for damages was brought against Miami-
31 Dade County by and through the children's mother and guardian,
32 Latisha Snell, and after extensive discovery just prior to
33 trial, the case was settled during a second mediation in
34 exchange for Miami-Dade County's support of a claim bill, and

35 WHEREAS, Miami-Dade County agreed to the entry of a final
36 judgment for Jonathan Snell in the amount of \$400,000 and for
37 Erika Snell in the amount of \$137,000, and the county has
38 partially satisfied the final judgment by paying \$100,000 for
39 the benefit of each child in accordance with the limits
40 established under s. 768.28, Florida Statutes, NOW, THEREFORE,

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

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

46 Section 2. The Miami-Dade County Commission is authorized
47 and directed to appropriate from funds of the county not
48 otherwise appropriated and to draw a warrant in the sum of
49 \$300,000 payable to Latisha Snell, as guardian of Jonathan
50 Snell, as compensation for injuries and damages sustained by
51 Jonathan Snell, minor child of Latisha Snell, due to the
52 negligence of Miami-Dade County.

53 Section 3. The Miami-Dade County Commission is authorized
54 and directed to appropriate from funds of the county not
55 otherwise appropriated and to draw a warrant in the sum of



56 \$37,000 payable to Latisha Snell, as guardian of Erika Snell, as
57 compensation for injuries and damages sustained by Erika Snell,
58 minor child of Latisha Snell, due to the negligence of Miami-
59 Dade County.

60 Section 4. The governmental entity responsible for payment
61 of the warrant shall pay to the Florida Agency for Health Care
62 Administration the amount due under section 409.910, Florida
63 Statutes, prior to disbursing any funds to the claimant. The
64 amount due the agency shall be equal to all unreimbursed medical
65 payments paid by Medicaid up to the date upon which this bill
66 becomes a law.

67 Section 5. After payment of attorneys' fees, costs, liens,
68 and medical bills, the balance of the moneys appropriated shall
69 be used to purchase an annuity for each child. Each child shall
70 be eligible to receive periodic payments from his or her annuity
71 upon reaching the age of majority.

72 Section 6. This act shall take effect upon becoming a law.