

HB 0235

2004

1 A bill to be entitled
2 An act for the relief of Cristina Alvarez and George
3 Patnode; providing for appropriations to compensate them
4 for the death of their son, Nicholas Patnode, a minor, due
5 to negligence of the Department of Health; providing an
6 effective date.

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8 WHEREAS, on January 8, 1998, Nicholas Patnode, 5 months of
9 age, was seen at the Martin County Health Department -
10 Indiantown Clinic, for a fever, and

11 WHEREAS, a blood test was ordered, the results of which
12 were abnormal and consistent with bacteremia, a condition that
13 requires immediate administration of antibiotics, and

14 WHEREAS, the results of the blood test were printed that
15 day but not picked up from the printer at the clinic, as a
16 result of which treatment was not begun and Nicholas Patnode's
17 condition deteriorated, and

18 WHEREAS, several hours later, Nicholas Patnode's parents
19 took him to Martin Memorial Medical Center, where a spinal tap
20 confirmed a diagnosis of bacterial meningitis, and Nicholas
21 Patnode was transferred to St. Mary's Hospital in critical
22 condition, and

23 WHEREAS, a decision was made to discontinue life support
24 due to irreversible brain damage, and Nicholas Patnode died on
25 January 10, 1998, and

26 WHEREAS, Nicholas Patnode is survived by his parents,
27 Cristina Alvarez and George Patnode, and

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28 WHEREAS, the actions of the Martin County Health Department
 29 demonstrated failure to adhere to a reasonable level of care of
 30 Nicholas Patnode and resulted in his death, and

31 WHEREAS, after an unsuccessful attempt by Nicholas
 32 Patnode's parents to settle this claim, it proceeded to
 33 litigation, resulting in a judgment in favor of the parents in
 34 the amount of \$2,600,000, NOW, THEREFORE,

35
 36 Be It Enacted by the Legislature of the State of Florida:

37
 38 Section 1. The facts stated in the preamble to this act
 39 are found and declared to be true.

40 Section 2. There is appropriated from the General Revenue
 41 Fund to the Department of Health the sum of \$1,600,000 for the
 42 relief of Cristina Alvarez as compensation for the death of her
 43 son, Nicholas Patnode, a minor, due to the negligence of the
 44 Martin County Health Department.

45 Section 3. The Chief Financial Officer is directed to draw
 46 a warrant in favor of Cristina Alvarez in the sum of \$1,600,000
 47 upon funds of the Department of Health in the State Treasury,
 48 and the State Treasurer is directed to pay the same out of such
 49 funds in the State Treasury.

50 Section 4. There is appropriated from the General Revenue
 51 Fund to the Department of Health the sum of \$1,000,000 for the
 52 relief of George Patnode as compensation for the death of his
 53 son, Nicholas Patnode, a minor, due to the negligence of the
 54 Martin County Health Department.

55 Section 5. The Chief Financial Officer is directed to draw
 56 a warrant in favor of George Patnode in the sum of \$1,000,000

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57 upon funds of the Department of Health in the State Treasury,
58 and the State Treasurer is directed to pay the same out of such
59 funds in the State Treasury.

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