

By Senator Diaz de la Portilla

36-18A-04

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A bill to be entitled
An act relating to the South Broward Hospital
District; providing for the relief of Jeffrey
Haider; providing for an appropriation to
compensate him for injuries and damages
sustained as a result of the negligence of the
South Broward Hospital District; providing for
attorney's fees and costs; providing an
effective date.

WHEREAS, in May 2000, Jeffrey Haider, a 45-year-old
man, began experiencing headaches, vomiting, fatigue,
dizziness, and behavioral changes, such as difficulty
concentrating and confusion, and

WHEREAS, as a result of these symptoms, Jeffrey Haider
saw several health care providers over a period of several
weeks, and

WHEREAS, an MRI of Jeffrey Haider was taken on May 31,
2000, and

WHEREAS, a radiologist and a neurologist determined
that Jeffrey Haider had a large mass within the right temporal
lobe which was 7 x 5 centimeters in size, and

WHEREAS, the mass was diagnosed as a brain tumor and
Jeffrey Haider was referred to a neurosurgeon, and

WHEREAS, the neurosurgeon who examined Jeffrey Haider
agreed that the patient had a right temporal lobe tumor and
recommended a craniotomy for resection of the tumor, and

WHEREAS, the procedure was performed on June 5, 2000,
and once the incisions in the area of the middle cerebral
artery were made, massive bleeding occurred, with blood

1 gushing out of Jeffrey Haider's incisions under pulsating
2 pressure, and

3 WHEREAS, at this point the neurosurgeon realized that
4 the diagnosis of a tumor was incorrect and that Jeffrey Haider
5 had an aneurysm, and

6 WHEREAS, in fact, the neurosurgeon notes in his
7 operative report that "at this point, we felt that this
8 probably was an aneurysm. I brought in the radiologist who
9 felt that, in retrospect, this was a possibility," and

10 WHEREAS, an aneurysm is a permanent, abnormally
11 blood-filled dilation of a blood vessel, usually resulting
12 from the disease of a vessel wall, and it is common medical
13 knowledge that puncturing an aneurysm is the incorrect
14 treatment for a cerebral aneurysm, and

15 WHEREAS, the surgeon and the radiologist then summoned
16 an interventional radiologist who performed an angiogram, a
17 procedure that should have been ordered prior to the
18 operation, and

19 WHEREAS, the intraoperative angiogram revealed a giant
20 aneurysm filling from the right middle cerebral artery, and

21 WHEREAS, in an instance of further negligence on the
22 part of the South Broward Hospital District, the neurosurgeon
23 did not repair Jeffrey Haider's middle cerebral artery, but
24 instead controlled the bleeding from the aneurysm for about 45
25 minutes and then closed the dura and the skull, and then sent
26 Jeffrey Haider to the intensive care unit "with the idea of
27 reoperating at a later time," and

28 WHEREAS, however, within hours, Jeffrey Haider was
29 exhibiting dangerous neurological symptoms and was in need of
30 immediate repair of the aneurysm, and

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1 WHEREAS, on June 6, 2000, the repair surgery was
2 commenced, and

3 WHEREAS, when Jeffrey Haider's brain was opened it was
4 noted to be "extremely swollen" and the "aneurysm was causing
5 tremendous pressure on the brain and herniating through the
6 craniotomy," and

7 WHEREAS, at that point the neurosurgeon compounded
8 Jeffrey Haider's condition by tearing off the M1 artery from
9 the junction of the aneurysm and the M2 artery so that he was
10 unable to perform an anastomosis to repair and join the
11 arteries, and

12 WHEREAS, Dr. Rodriquez, the neurosurgeon, states in his
13 operative report that "the larger M2 (artery), and even the
14 other one, were essentially on the aneurysm bulbous dilation
15 and I could not bring them together to do an anostemosis," and

16 WHEREAS, Jeffrey Haider has suffered astronomical
17 economic and noneconomic damages as a result of the treatment
18 he received from the South Broward Hospital District, and

19 WHEREAS, Jeffrey Haider is in a chronic vegetative
20 state state and requires 7-day-a-week, around-the-clock care,
21 NOW, THEREFORE,

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

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

27 Section 2. The South Broward Hospital District is
28 authorized and directed to appropriate from funds of the
29 hospital district not otherwise appropriated and to draw a
30 warrant in the sum of \$3,800,000, plus interest, as agreed to
31 by the claimant and the South Broward Hospital District,

1 payable to Jeffrey Haider as compensation for injuries and
2 damages sustained. After payment of attorney's fees and costs,
3 the balance shall be paid into the guardianship account
4 established for Jeffrey Haider.

5 Section 3. This act shall take effect upon becoming a
6 law.

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