

By Senator Bennett

21-148-06

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A bill to be entitled

An act relating to the North Broward Hospital District; providing for the relief of Charles Pandrea, husband of Janet Pandrea, deceased; providing for an appropriation to compensate him for the death of Janet Pandrea as a result of the negligence of the North Broward Hospital District; providing an effective date.

WHEREAS, Janet Pandrea died on April 2, 2002, in Broward County as a result of the treatment that she received for non-Hodgkin's lymphoma, a disease which she did not have, and

WHEREAS, the Coral Springs Medical Center, part of the North Broward Hospital District, by and through its pathologist, Peter Tsivis, M.D., breached the applicable standard of care by and through his diagnosis and interpretation of certain slides as being consistent with non-Hodgkin's lymphoma, when the tissue at issue was a benign thymoma, and

WHEREAS, based upon the misdiagnosis of the benign thymoma as cancer, Janet Pandrea was subsequently treated with multiple rounds of chemotherapy for which she had adverse reactions, which led to multiple complications and her eventual demise, and

WHEREAS, Charles Pandrea was married to Janet Pandrea on May 19, 1956, and they had four children together during the course of their 46-year marriage, and

WHEREAS, Charles Pandrea is suffering from the tragic memories of the suffering of his wife from complications from

1 chemotherapy and her prolonged hospital stay and eventual
2 demise, which were related to the initial misdiagnosis, and

3 WHEREAS, Charles Pandrea will continue to suffer mental
4 pain and anguish for the remainder of his life, which has
5 caused and will continue to cause serious psychological
6 problems for him, and

7 WHEREAS, as a matter of law, a jury in Broward County
8 returned a verdict against North Broward Hospital District on
9 June 8, 2005, and the verdict was reduced to a final judgment
10 in the amount of \$808,554.78 on June 15, 2005, and

11 WHEREAS, as a matter of law, it was determined that
12 neither Charles Pandrea nor Janet Pandrea did anything to
13 cause or contribute to the cause of the losses and injuries
14 complained of, and

15 WHEREAS, the North Broward Hospital District, pursuant
16 to section 768.28, Florida Statutes, has offered to pay
17 \$200,000, the statutory limit for the waiver of sovereign
18 immunity, and

19 WHEREAS, the North Broward Hospital District is
20 responsible for paying the remainder of the judgment, which is
21 \$608,554.78, 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 North Broward Hospital District is
28 authorized and directed to appropriate from funds of the
29 district not otherwise appropriated and to draw a warrant in
30 the sum of \$608,554.78, payable to Charles Pandrea, husband of
31 Janet Pandrea, deceased, as compensation for the death of

1 Janet Pandrea as a result of the negligence of the North
2 Broward Hospital District.

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

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