

By Senator Wilson

33-00202-10

201064

1 A bill to be entitled

2 An act for the relief of Charles Pandrea by the North  
3 Broward Hospital District; providing for an  
4 appropriation to compensate Charles Pandrea, husband  
5 of Janet Pandrea, for the death of Janet Pandrea as a  
6 result of the negligence of the North Broward Hospital  
7 District; providing a limitation on the payment of  
8 fees and costs; providing an effective date.

9  
10 WHEREAS, Janet Pandrea died on April 2, 2002, in Broward  
11 County as a result of the treatment that she received for non-  
12 Hodgkin's lymphoma, a disease that she did not have, and

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

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

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

26 WHEREAS, Charles Pandrea is suffering from the tragic  
27 memories of the suffering of his wife from complications from  
28 chemotherapy and her prolonged hospital stay and eventual  
29 demise, which were related to the initial misdiagnosis, and

33-00202-10

201064\_\_

30 WHEREAS, Charles Pandrea will continue to suffer mental  
31 pain and anguish for the remainder of his life, which has caused  
32 and will continue to cause serious psychological problems for  
33 him, and

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

38 WHEREAS, as a matter of law, it was determined that neither  
39 Charles Pandrea nor Janet Pandrea did anything to cause or  
40 contribute to the cause of the losses and injuries complained  
41 of, and

42 WHEREAS, the North Broward Hospital District has paid the  
43 statutory limit of \$200,000 under s. 768.28, Florida Statutes,  
44 and

45 WHEREAS, the North Broward Hospital District is responsible  
46 for paying the remainder of the judgment, which is \$608,554.78,  
47 NOW, THEREFORE,

48  
49 Be It Enacted by the Legislature of the State of Florida:

50  
51 Section 1. The facts stated in the preamble to this act are  
52 found and declared to be true.

53 Section 2. The North Broward Hospital District is  
54 authorized and directed to appropriate from funds of the  
55 district not otherwise appropriated and to draw a warrant in the  
56 sum of \$608,554.78, payable to Charles Pandrea, husband of Janet  
57 Pandrea, deceased, as compensation for the death of Janet  
58 Pandrea as a result of the negligence of the North Broward

33-00202-10

201064\_\_

59 Hospital District.

60 Section 3. The amount paid by the North Broward Hospital  
61 District pursuant to s. 768.28, Florida Statutes, and the amount  
62 awarded under this act are intended to provide the sole  
63 compensation for all present and future claims arising out of  
64 the factual situation described in this act which resulted in  
65 the death of Janet Pandrea. The total amount paid for attorney's  
66 fees, lobbying fees, costs, and other similar expenses relating  
67 to this claim may not exceed 25 percent of the amount awarded  
68 under this act.

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