

By Senator Ring

32-00035-11

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1 A bill to be entitled

2 An act for the relief of Laron S. Harris, Jr., by and
3 through his parents, Melinda Williams and Laron S.
4 Harris, Sr., and Melinda Williams and Laron S. Harris,
5 Sr., individually, by the North Broward Hospital
6 District, d/b/a Coral Springs Medical Center;
7 providing for an appropriation to compensate them for
8 injuries sustained as a result of the negligence of
9 the Coral Springs Medical Center; providing a
10 limitation on the payment of fees and costs; providing
11 an effective date.

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13 WHEREAS, Laron S. Harris, Jr., was born at the Coral
14 Springs Medical Center on April 1, 2003, suffering from severe
15 perinatal asphyxia and severe hypoperfusion, and has significant
16 brain damage as a result of those conditions, and

17 WHEREAS, Laron's mother, Melinda Williams, who was
18 approximately 8 months pregnant, arrived by ambulance at the
19 medical center at or around 5:45 a.m. on April 1, 2003, and was
20 bleeding significantly and having abdominal pain, and

21 WHEREAS, at 7:55 a.m., Dr. Richard Spira performed an
22 ultrasound and strongly suspected that a placental abruption had
23 occurred and recommended that another sonogram be performed in
24 the ultrasound department of the medical center, and

25 WHEREAS, at 8:45 a.m., a registered nurse performed a
26 bedside ultrasound on Ms. Williams using a portable ultrasound
27 machine rather than the more reliable ultrasound equipment
28 recommended by Dr. Spira in the ultrasound department, and

29 WHEREAS, Ms. Williams was not taken to the ultrasound

32-00035-11

201116

30 department for the further examinations as requested by Dr.
31 Spira until after 9:20 a.m., and

32 WHEREAS, Ms. Williams finally was sent to the operating
33 room at 9:45 a.m. for an emergency cesarean section that was
34 performed by Dr. Desouza; however, the surgery, which showed
35 that the placenta was 40 to 50 percent abrupt, did not begin
36 until 10:14 a.m., and

37 WHEREAS, the injuries Laron sustained were foreseeable and
38 preventable and the medical center had a duty to prevent his
39 injuries, and

40 WHEREAS, the medical center breached its duties to Laron
41 and Ms. Williams by failing to timely diagnose the existence of
42 the placental abruption and to timely perform an emergency
43 cesarean section upon diagnosing the placental abruption, and

44 WHEREAS, if the doctors at the medical center had promptly
45 diagnosed the placental abruption and timely performed the
46 emergency cesarean section, Laron most likely would not have
47 suffered from severe perinatal asphyxia and would not have
48 developed permanent neurological damage, and

49 WHEREAS, Laron S. Harris, Jr., and his parents Melinda
50 Williams and Laron S. Harris, Sr., filed a lawsuit against the
51 North Broward Hospital District, d/b/a Coral Springs Medical
52 Center, which was resolved through a mediated consent judgment
53 for the sum of \$2.2 million, the payment of \$200,000 authorized
54 by the state's limited waiver of sovereign immunity under s.
55 768.28, Florida Statutes, and an agreement to support a claim
56 bill for the remaining amount of \$2 million, NOW, THEREFORE,

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

32-00035-11

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

62 Section 2. The North Broward Hospital District, d/b/a Coral
63 Springs Medical Center, is authorized and directed to
64 appropriate from funds of the district not otherwise
65 appropriated and to draw a warrant in the sum of \$2 million
66 payable to Laron S. Harris, Jr., by and through his parents
67 Melinda Williams and Laron S. Harris, Sr., and to Melinda
68 Williams and Laron S. Harris, Sr., individually, as compensation
69 for injuries and damages sustained.

70 Section 3. The amount paid by the North Broward Hospital
71 District pursuant to s. 768.28, Florida Statutes, and this award
72 are intended to provide the sole compensation for all present
73 and future claims arising out of the factual situation that
74 resulted in the injuries to Laron S. Harris, Jr., and his
75 parents Melinda Williams and Laron S. Harris, Sr. The total
76 amount paid for attorney's fees, lobbying fees, costs, and other
77 similar expenses relating to this claim may not exceed 25
78 percent of the amount awarded under this act.

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