

HB 609

2011

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

11
12 WHEREAS, Laron S. Harris, Jr., was born at the Coral
13 Springs Medical Center on April 1, 2003, suffering from severe
14 perinatal asphyxia and severe hypoperfusion, and has significant
15 brain damage as a result of those conditions, and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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