

ENROLLED  
HB 609

2011 Legislature

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

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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.