

By Senator Diaz de la Portilla

40-00032-13

201328

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

40-00032-13

201328__

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

40-00032-13

201328__

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
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.