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576-01913-15

Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Health and Human Services)

A bill to be entitled

An act for the relief of Asia Rollins by the Public Health Trust of Miami-Dade County, d/b/a Jackson Memorial Hospital; providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Public Health Trust of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

WHEREAS, on October 26, 2011, 3-year-old Asia Rollins suffered a seizure at her day care center and was taken by emergency medical personnel to Jackson Memorial Hospital, and

WHEREAS, at the hospital, Asia Rollins experienced difficulty breathing and was electively intubated a total of four times, during the third of which vomit was expelled from her endotracheal tube, and

WHEREAS, the delay between the intubations deprived Asia Rollins of oxygen for extended periods, causing her oxygen levels and heart rate to decrease, and

WHEREAS, as a result of her depleted oxygen levels and decreased heart rate, Asia Rollins went into asystole, and

WHEREAS, by the time cardiopulmonary resuscitation was completed Asia Rollins suffered a global ischemic brain injury and was subsequently diagnosed with hypoxic ischemic encephalopathy and cortical blindness, and

WHEREAS, Asia Rollins, now 6 years old, is unable to walk



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28 or talk and will never be able to live an independent life, and

29 WHEREAS, Asia Rollins's neurologist recommends that she
30 receive 24-hour care for the rest of her life, and

31 WHEREAS, Asia Rollins needs assistive devices for
32 ambulation and is unable to dress or feed herself or get around
33 her home, which requires modification to accommodate the
34 required assistive and therapy devices, and

35 WHEREAS, the Public Health Trust of Miami-Dade County
36 agreed to settle Asia Rollins's claim for \$999,999, and

37 WHEREAS, \$300,000, has been paid pursuant to the statutory
38 limits of liability in s. 768.28, Florida Statutes, and \$699,999
39 remains to be paid, NOW, THEREFORE,

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

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

45 Section 2. The Public Health Trust of Miami-Dade County,
46 d/b/a Jackson Memorial Hospital, is authorized and directed to
47 appropriate from funds not otherwise encumbered and to draw a
48 warrant in the sum of \$699,999, payable to the Supplemental Care
49 Trust for the Benefit of Asia Rose Rollins or other special
50 needs trust for the exclusive use and benefit of Asia Rollins.

51 Section 3. The amount paid by the Public Health Trust of
52 Miami-Dade County pursuant to s. 768.28, Florida Statutes, and
53 the amount awarded under this act are intended to provide the
54 sole compensation for all present and future claims arising out
55 of the factual situation described in this act which resulted in
56 the injuries and damages to Asia Rollins.



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57 Section 4. The total amount paid for attorney fees,
58 lobbying fees, costs, and other similar expenses relating to
59 this claim may not exceed 25 percent of the amount awarded under
60 this act.

61 Section 5. This act shall take effect upon becoming a law.