

HB 3527

2015

1                                   A bill to be entitled  
2           An act for the relief of Asia Rollins by the Public  
3           Health Trust of Miami-Dade County, d/b/a Jackson  
4           Memorial Hospital; providing an appropriation to  
5           compensate her for injuries and damages sustained as a  
6           result of the negligence of the Public Health Trust of  
7           Miami-Dade County; providing a limitation on the  
8           payment of fees and costs; providing an effective  
9           date.

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

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

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

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

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

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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

40

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

42

43 Section 1. The facts stated in the preamble to this act  
 44 are 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

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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.

57 Section 4. The total amount paid for attorney fees,  
58 lobbying fees, and related costs may not exceed 25 percent of  
59 the amount awarded under this act.

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