

By Senator Diaz de la Portilla

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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 compensation, fees, and costs; providing an effective
9 date.

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11 WHEREAS, Janet Pandrea died on April 2, 2002, in Broward
12 County as a result of the treatment that she received for non-
13 Hodgkin's lymphoma, a disease that she did not have, and

14 WHEREAS, the Coral Springs Medical Center, part of the
15 North Broward Hospital District, by and through its pathologist,
16 Peter Tsivis, M.D., breached the applicable standard of care by
17 and through his diagnosis and interpretation of certain slides
18 as being consistent with non-Hodgkin's lymphoma, when the tissue
19 was, in fact, a benign thymoma, and

20 WHEREAS, based upon this misdiagnosis, Mrs. Pandrea was
21 subsequently treated with multiple rounds of chemotherapy to
22 which she had adverse reactions, which led to multiple
23 complications and her eventual demise, and

24 WHEREAS, Charles and Janet Pandrea were married on May 19,
25 1956, and they had four children together during the course of
26 their 46-year marriage, and

27 WHEREAS, Charles Pandrea suffers from the tragic memories
28 of the suffering of his wife from complications of chemotherapy
29 and her prolonged hospital stay and eventual demise, which

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30 stemmed from the initial misdiagnosis, and

31 WHEREAS, Charles Pandrea will continue to suffer mental
32 pain and anguish for the remainder of his life, which has caused
33 and will continue to cause serious psychological problems for
34 him, and

35 WHEREAS, as a matter of law, a jury in Broward County on
36 June 8, 2005, returned a verdict against the North Broward
37 Hospital District and the verdict was reduced to a final
38 judgment in the amount of \$808,554.78 on June 15, 2005, and

39 WHEREAS, as a matter of law, it was determined that neither
40 Charles Pandrea nor Mrs. Pandrea caused or contributed to the
41 losses and injuries complained 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,

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

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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

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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.