

By Senator Steube

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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.

10  
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, Janet 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  
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

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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 Janet 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,

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  
59 Hospital District.

60 Section 3. The amount paid by the North Broward Hospital  
61 District under s. 768.28, Florida Statutes, and the amount

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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.