

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, in part based upon the misdiagnosis, Janet Pandrea
21 was subsequently treated by other doctors and underwent multiple
22 rounds of chemotherapy to which she had adverse reactions, which
23 led to multiple 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
33 | and will continue to cause serious psychological problems for
34 | him, and

35 | WHEREAS, Charles Pandrea brought a civil action against the
36 | North Broward Hospital District and other treating physicians
37 | from other medical providers, and

38 | WHEREAS, as a matter of law, a jury in Broward County on
39 | June 8, 2005, returned a verdict in the amount of \$8,069,803.50,
40 | in which the North Broward Hospital District was found to be 10
41 | percent at fault and a final judgment was entered in the amount
42 | of \$808,554.78 on June 15, 2005, and

43 | WHEREAS, as a matter of law, it was determined that neither
44 | Charles Pandrea nor Janet Pandrea caused or contributed to the
45 | losses and injuries complained of, and

46 | WHEREAS, the North Broward Hospital District has paid the
47 | statutory limit of \$200,000 under s. 768.28, Florida Statutes,
48 | and

49 | WHEREAS, the North Broward Hospital District is responsible
50 | for paying the remainder of the judgment, which is \$608,554.78,

51 NOW, THEREFORE,

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

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

57 Section 2. The North Broward Hospital District is
58 authorized and directed to appropriate from funds of the
59 district not otherwise appropriated and to draw a warrant in the
60 sum of \$608,554.78, payable to Charles Pandrea, husband of Janet
61 Pandrea, deceased, as compensation for the death of Janet
62 Pandrea as a result of the negligence of the North Broward
63 Hospital District.

64 Section 3. The amount paid by the North Broward Hospital
65 District under s. 768.28, Florida Statutes, and the amount
66 awarded under this act are intended to provide the sole
67 compensation for all present and future claims arising out of
68 the factual situation described in this act which resulted in
69 the death of Janet Pandrea. Of the amount awarded under this
70 act, the total amount paid for attorney fees may not exceed
71 \$115,625.41, the total amount paid for lobbying fees may not
72 exceed \$36,513.29, and the total amount paid for costs and other
73 similar expenses relating to this claim may not exceed
74 \$2,129.81.

75 Section 4. This act shall take effect upon becoming a law.