

By Senator Steube

23-00113-18

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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 attorney fees; providing an effective date.

9  
10 WHEREAS, Janet Pandrea died on April 2, 2002, in Broward  
11 County as a result of the treatment that she received for non-  
12 Hodgkin's lymphoma, a disease that she did not have, and

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

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

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

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

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

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

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

41 WHEREAS, the North Broward Hospital District has paid the  
42 statutory limit of \$200,000 under s. 768.28, Florida Statutes,  
43 and

44 WHEREAS, the North Broward Hospital District is responsible  
45 for paying the remainder of the judgment, which is \$608,554.78,  
46 NOW, THEREFORE,

47  
48 Be It Enacted by the Legislature of the State of Florida:

49  
50 Section 1. The facts stated in the preamble to this act are  
51 found and declared to be true.

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

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59           Section 3. The amount paid by the North Broward Hospital  
60 District under s. 768.28, Florida Statutes, and the amount  
61 awarded under this act are intended to provide the sole  
62 compensation for all present and future claims arising out of  
63 the factual situation described in this act which resulted in  
64 the death of Janet Pandrea. The total amount paid for attorney  
65 fees relating to this claim may not exceed 25 percent of the  
66 amount awarded under this act.

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