

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, 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

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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,

52

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

54

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.