

By Senator Cruz

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1 A bill to be entitled

2 An act for the relief of the Estate of Crystle Marie
3 Galloway by the Hillsborough County Board of County
4 Commissioners; providing for an appropriation to
5 compensate the estate for injuries sustained by
6 Crystle Marie Galloway and her survivors as a result
7 of the negligence of employees of the Hillsborough
8 County Board of County Commissioners; providing a
9 limitation on the payment of fees; providing an
10 effective date.

11
12 WHEREAS, on or about June 27, 2018, Crystle Marie Galloway
13 gave birth to her son, Jacob Aiden Flowers, via caesarean
14 section and was discharged from the hospital on or about June
15 29, 2018, and

16 WHEREAS, on or about July 4, 2018, at approximately 3:02
17 a.m., Ms. Galloway's mother, Nicole Black, contacted the
18 Hillsborough County Fire Rescue emergency dispatch center via
19 911 to request medical assistance for Ms. Galloway, and

20 WHEREAS, during the 911 call, Ms. Black requested an
21 ambulance for her daughter, advising the dispatcher that Ms.
22 Galloway had recently given birth and that she was found
23 unconscious in the bathroom with swollen lips and drool coming
24 out of her mouth, and

25 WHEREAS, the nature of the emergency was classified as a
26 stroke or cerebrovascular accident, and at approximately 3:05
27 a.m., four paramedics employed by Hillsborough County Fire
28 Rescue were dispatched to Ms. Galloway's home and arrived at
29 approximately 3:17 a.m., and

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30 WHEREAS, two deputies from the Hillsborough County
31 Sheriff's office who first arrived at Ms. Galloway's home in
32 response to the 911 call advised the paramedics employed by
33 Hillsborough County Fire Rescue that Ms. Galloway was
34 complaining of a headache and sensitivity to light and sound,
35 had not consumed any medication or alcohol, and had given birth
36 via caesarean section a few days earlier, and

37 WHEREAS, although the paramedics employed by Hillsborough
38 County Fire Rescue observed Ms. Galloway crying, complaining of
39 a headache, and vomiting, they did not take Ms. Galloway's
40 vitals or perform any physical examination of her, and

41 WHEREAS, the paramedic employed by Hillsborough County Fire
42 Rescue who was in charge of the rescue remarked that Ms.
43 Galloway looked like she had "too much to drink" and refused to
44 take her to the hospital in the ambulance, stating that Ms.
45 Black could take Ms. Galloway to the hospital herself, and

46 WHEREAS, at 3:30 a.m., approximately 13 minutes after
47 arriving at Ms. Galloway's home, the paramedics employed by
48 Hillsborough County Fire Rescue left without Ms. Galloway and
49 reported the incident as "Nontransport/No Patient Found" and
50 "Nontransport/Cancel," and

51 WHEREAS, while Ms. Black was transporting Ms. Galloway to
52 the hospital in her personal vehicle, Ms. Galloway began having
53 seizures, and a CT scan of her brain performed at the emergency
54 room later revealed an acute subarachnoid hemorrhage, most
55 likely secondary to an aneurysm, and

56 WHEREAS, as the facility where Ms. Galloway was first
57 admitted was not equipped to handle the required neurological
58 interventions, Ms. Galloway was later transported to Tampa

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59 General Hospital, where she underwent a cerebral angiogram with
60 coil placement into the aneurysm, and

61 WHEREAS, despite efforts by physicians at Tampa General
62 Hospital to treat Ms. Galloway, she passed away on July 9, 2018,
63 and

64 WHEREAS, as the Hillsborough County Board of County
65 Commissioners provides emergency medical and health care
66 services to its residents through entities that include
67 Hillsborough County Fire Rescue, paramedics employed by
68 Hillsborough County Fire Rescue are employees and agents of the
69 Hillsborough County Board of County Commissioners, and

70 WHEREAS, such employees of the Hillsborough County Board of
71 County Commissioners had a duty to use reasonable care in the
72 treatment of Ms. Galloway, and

73 WHEREAS, such employees of the Hillsborough County Board of
74 County Commissioners breached that duty by deviating from the
75 acceptable and appropriate standards of care and providing
76 inadequate care to Ms. Galloway, and

77 WHEREAS, the Estate of Crystle Marie Galloway alleged,
78 through a lawsuit filed October 17, 2019, in the Circuit Court
79 of the Thirteenth Judicial Circuit in and for Hillsborough
80 County, that the negligence of the Hillsborough County Board of
81 County Commissioners, through its employees, was the proximate
82 cause of Ms. Galloway's death, and

83 WHEREAS, following the filing of the lawsuit, the
84 Hillsborough County Board of County Commissioners and the Estate
85 of Crystle Marie Galloway reached a settlement agreement in the
86 amount of \$2.75 million, of which \$300,000 will be paid to the
87 Estate of Crystle Marie Galloway pursuant to the limits of

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88 liability set forth in s. 768.28, Florida Statutes, and the
89 remainder is conditioned upon the passage of a claim bill, which
90 is agreed to by the Hillsborough County Board of County
91 Commissioners, in the amount of \$2.45 million, NOW, THEREFORE,

92

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

94

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

97

98 Section 2. The Hillsborough County Board of County
99 Commissioners is authorized and directed to appropriate from
100 funds of the county not otherwise encumbered and to draw a
101 warrant in the sum of \$2.45 million payable to Nicole Black as
102 personal representative of the Estate of Crystle Marie Galloway
103 as compensation for injuries and damages sustained.

104

105 Section 3. The amount paid by the Hillsborough County Board
106 of County Commissioners pursuant to s. 768.28, Florida Statutes,
107 and the amount awarded under this act are intended to provide
108 the sole compensation for all present and future claims arising
109 out of the factual situation described in this act which
110 resulted in the death of Crystle Marie Galloway, including
111 injuries and damages to the Estate of Crystle Marie Galloway and
112 her survivors. Of the amount awarded under this act, the total
113 amount paid for attorney fees relating to this claim may not
exceed 25 percent of the amount awarded under this act.

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