

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

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1 Committee/Subcommittee hearing bill: Civil Justice & Property  
 2 Rights Subcommittee

3 Representative DiCeglie offered the following:

4

5 **Amendment**

6 Remove lines 12-112 and insert:

7 WHEREAS, on or about June 27, 2018, Crystle Marie Galloway  
 8 gave birth to her son, Jacob Aiden Flowers, via caesarean  
 9 section and was discharged from the hospital on or about June  
 10 29, 2018, and

11 WHEREAS, on or about July 4, 2018, at approximately 3:02  
 12 a.m., Ms. Galloway's mother, Nicole Black, contacted the  
 13 Hillsborough County Fire Rescue emergency dispatch center via  
 14 911 to request medical assistance for Ms. Galloway, and

15 WHEREAS, during the 911 call, Ms. Black requested an  
 16 ambulance for her daughter, advising the dispatcher that Ms.

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17 Galloway had recently given birth and that she was found  
18 unconscious in the bathroom with swollen lips and drool coming  
19 out of her mouth, and

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

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

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

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

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41 WHEREAS, while Ms. Black was transporting Ms. Galloway to  
42 the hospital in her personal vehicle, Ms. Galloway began having  
43 seizures, and a CT scan of her brain performed at the emergency  
44 room later revealed an acute subarachnoid hemorrhage, most  
45 likely secondary to an aneurysm, and

46 WHEREAS, as the facility where Ms. Galloway was first  
47 admitted was not equipped to handle the required neurological  
48 interventions, Ms. Galloway was later transported to Tampa  
49 General Hospital, where she underwent a cerebral angiogram with  
50 coil placement into the aneurysm, and

51 WHEREAS, despite efforts by physicians at Tampa General  
52 Hospital to treat Ms. Galloway, she passed away on July 9, 2018,  
53 and

54 WHEREAS, as the Hillsborough County Board of County  
55 Commissioners provides emergency medical and health care  
56 services to its residents through entities that include  
57 Hillsborough County Fire Rescue, paramedics employed by  
58 Hillsborough County Fire Rescue are employees and agents of the  
59 Hillsborough County Board of County Commissioners, and

60 WHEREAS, such employees of the Hillsborough County Board of  
61 County Commissioners had a duty to use reasonable care in the  
62 treatment of Ms. Galloway, and

63 WHEREAS, such employees of the Hillsborough County Board of  
64 County Commissioners breached that duty by deviating from the

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65 acceptable and appropriate standards of care in providing  
66 inadequate care to Ms. Galloway, and

67 WHEREAS, the Estate of Crystle Marie Galloway alleged,  
68 through a lawsuit filed October 17, 2019, in the Circuit Court  
69 of the Thirteenth Judicial Circuit in and for Hillsborough  
70 County, that the negligence of the Hillsborough County Board of  
71 County Commissioners, through its employees, was the proximate  
72 cause of Ms. Galloway's death, and

73 WHEREAS, following the filing of the lawsuit, the  
74 Hillsborough County Board of County Commissioners and the Estate  
75 of Crystle Marie Galloway reached a settlement agreement in the  
76 amount of \$2.75 million, of which \$300,000 has been paid to the  
77 Estate of Crystle Marie Galloway pursuant to the limits of  
78 liability set forth in s. 768.28, Florida Statutes, and the  
79 remainder is conditioned upon the passage of a claim bill, which  
80 is agreed to by the Hillsborough County Board of County  
81 Commissioners, in the amount of \$2.45 million, NOW, THEREFORE,

82  
83 Be It Enacted by the Legislature of the State of Florida:

84  
85 Section 1. The facts stated in the preamble to this act  
86 are found and declared to be true.

87 Section 2. The Hillsborough County Board of County  
88 Commissioners is authorized and directed to appropriate from  
89 funds of the county not otherwise encumbered and to draw a

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90 warrant in the sum of \$2.45 million payable to Nicole Black as  
91 personal representative of the Estate of Crystle Marie Galloway  
92 as compensation for injuries and damages sustained.

93 Section 3. The amount paid by the Hillsborough County  
94 Board of County Commissioners pursuant to s. 768.28, Florida  
95 Statutes, and the amount awarded under this act are intended to  
96 provide the sole compensation for all present and future claims  
97 arising out of the factual situation described in this act which  
98 resulted in the death of Crystle Marie Galloway, including  
99 injuries and damages to the Estate of Crystle Marie Galloway and  
100 her survivors. Of the amount awarded under this act, the total  
101 amount paid for attorney fees relating to this claim may not  
102 exceed \$612,500, the total amount paid for lobbying fees may not  
103 exceed \$122,500, and the total amount paid for costs or other  
104 similar expenses may not exceed \$20,906.04.