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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Rodriguez) recommended the following:

Senate Amendment

In title, delete lines 56 - 105
and insert:

that E.E.M. had not had a bowel movement in 3 days, with
decreased bowel sounds, and a distended abdomen, and

WHEREAS, on January 3, 2018, E.E.M. had an X-ray with
contrast which indicated "suspicious" for small bowel
obstruction, and an X-ray performed an hour later indicated
"highly suspicious" for a small bowel obstruction, and

WHEREAS, on January 4, 2018, E.E.M. had another X-ray with



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12 contrast of his chest and abdomen which showed that the contrast
13 liquid did not advance through the small bowel, indicating an
14 issue with obstruction, and

15 WHEREAS, although E.E.M.'s symptoms, laboratory values, and
16 radiological and other clinical findings were consistent with an
17 intestinal blockage or rupture, Joe DiMaggio Children's Hospital
18 medical staff failed to appropriately evaluate and diagnose
19 E.E.M.'s condition, and

20 WHEREAS, on January 5, 2018, E.E.M. was transferred to
21 Holtz Children's Hospital at Jackson Memorial Hospital in Miami-
22 Dade County, and

23 WHEREAS, upon admission at Holtz, E.E.M. was suffering from
24 sepsis with multiorgan failure, among other life-threatening
25 conditions, and underwent a CT scan that showed evidence of a
26 bowel perforation, and

27 WHEREAS, on January 6, 2018, only hours after admission,
28 E.E.M. underwent an exploratory laparotomy, a small bowel
29 resection, an ileostomy, and a mucous transverse colostomy
30 fistula, and, over the next few weeks, had numerous other
31 surgeries associated with small bowel obstruction, and

32 WHEREAS, on May 28, 2020, Mr. and Mrs. Miles filed suit in
33 the 17th Judicial Circuit, in and for Broward County, case no.
34 20-008839, against the South Broward Hospital District, d/b/a
35 Joe DiMaggio Children's Hospital and other parties, alleging, in
36 part, negligence of the district and its providers in failing to
37 properly evaluate, diagnose, and treat E.E.M.'s small bowel
38 obstruction, and

39 WHEREAS, E.E.M. suffered life-altering and horrific
40 injuries and damages, such as significant anal dilation; kidney



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41 stones; the loss of his terminal ileum, right colon, omentum,
42 appendix, and significant portions of his small intestine; and
43 missed significant developmental milestones, and

44 WHEREAS, on September 1, 2023, E.E.M. passed away at 7
45 years of age, and

46 WHEREAS, in May 2024, Mr. and Mrs. Miles, as the copersonal
47 representatives of E.E.M., and the South Broward Hospital
48 District, d/b/a Joe DiMaggio Children's Hospital entered into a
49 settlement agreement for \$500,000, and

50 WHEREAS, in accordance with s. 768.28, Florida Statutes,
51 the South Broward Hospital District paid \$300,000 to Mr. and
52 Mrs. Miles, as copersonal representatives of E.E.M., and

53 WHEREAS, the settlement agreement provides for the entry of
54 a consent judgment for the remaining amount of \$200,000 and the
55 South