

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WITHDRAWN	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>	

1 Committee/Subcommittee hearing bill: Civil Justice & Claims
 2 Subcommittee

3 Representative Antone offered the following:

4

5 **Amendment**

6 Remove lines 56-101 and insert:

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

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

13 WHEREAS, on January 4, 2018, E.E.M. had another X-ray with
 14 contrast of his chest and abdomen which showed that the contrast
 15 liquid did not advance through the small bowel, indicating an
 16 issue with obstruction, and

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

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

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

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

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

41 WHEREAS, E.E.M. suffered life-altering and horrific

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42 injuries and damages, such as significant anal dilation; kidney
43 stones; the loss of his terminal ileum, right colon, omentum,
44 appendix, and significant portions of his small intestine; and
45 missed significant developmental milestones, and

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

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

52 WHEREAS, pursuant to the settlement agreement, the South
53 Broward Hospital District paid the statutory limit of \$300,000
54 in damages allowed under section 768.28 Florida Statutes, and

55 WHEREAS, the settlement agreement provides for the further
56 payment