

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 6531 (2025)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED ☐ (Y/N)

ADOPTED AS AMENDED ☐ (Y/N)

ADOPTED W/O OBJECTION ☐ (Y/N)

FAILED TO ADOPT ☐ (Y/N)

WITHDRAWN ☐ (Y/N)

OTHER ☐

Committee/Subcommittee hearing bill: Civil Justice & Claims
Subcommittee

Representative Gottlieb offered the following:

Amendment

Remove lines 148-191 and insert:

daily, and she had another brain surgery in January 2025, and

WHEREAS, H.H. will require additional brain surgical
procedures in the future and will be catheterized to assist with
going to the bathroom, and

WHEREAS, H.H.'s care is monitored by multiple physicians,
including specialists in pediatrics, palliative care, neurology,
neurosurgery, gastroenterology, pulmonology, orthopedics, and
urology, and

WHEREAS, H.H. receives physical therapy, occupational
therapy, and speech therapy, and

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17 WHEREAS, H.H. requires and will continue to require
18 constant care, monitoring, supervision, various therapies,
19 multiple specialist services, and supportive care throughout the
20 remainder of her life, and

21 WHEREAS, as the state agency charged under chapter 39,
22 Florida Statutes, with operating the child welfare system in
23 this state, including conducting child protective investigations
24 to ensure child safety and the prevention of further harm to
25 children, the department failed in its duty to ensure H.H.'s
26 safety and protect her from harm, and

27 WHEREAS, following a jury trial, a verdict was rendered on
28 December 8, 2023, in the amount of \$15 million in favor of H.H.,
29 and

30 WHEREAS, the jury found that, but for the department's
31 negligence in failing to complete a thorough child protective
32 investigation, to ensure H.H.'s safety, and protect H.H. from
33 further abuse and neglect, which was its primary duty, H.H.
34 would not have suffered damages, and

35 WHEREAS, \$200,000 of the jury award was recovered from the
36 department, which has exhausted the sovereign immunity limits
37 set forth in s. 768.28, Florida Statutes, and

38 WHEREAS, the trial court entered a cost judgment awarding
39 taxable costs in the amount of \$126,639.56 to H.H. to be paid by
40 the department, and

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WHEREAS, a total of \$14,926,639.56, representing \$14,800,000 in excess of the sovereign immunity limits and \$126,639.56 in costs awarded to H.H., plus interest, remains unpaid by the department, and,

WHEREAS, H.H. is responsible for payment of attorney fees and all remaining costs and expenses relating to this claim, subject to the limitations set forth in this act, NOW, THEREFORE,

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

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

Section 2. The sum of \$14,926,639.56 is appropriated from the General Revenue Fund to the Department of Children and Families for the relief of H.H. for injuries and damages sustained as a result of the negligence of the department.

Section 3. The Chief Financial Officer is directed to draw a warrant in favor of H.H., payable to an irrevocable trust created for the exclusive use and benefit of H.H., in the sum of \$14,926,639.56 upon funds of the Department of Children and Families in the State Treasury and to pay the same out of such funds in the State Treasury.

Section 4. It is the intent of the Legislature that all government liens, including Medicaid liens, resulting from the

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65 treatment and care of H.H. for the occurrences described in this
66 act be waived and paid by the state.

67 **Section 5.** The amount paid by the Department of Children
68 and Families pursuant to s. 768.28, Florida Statutes, and the
69 amount awarded under this act are intended to provide the sole
70 compensation for all present and future claims arising out of
71 the factual situation described in this act which resulted in
72 injuries and damages to H.H. The total amount paid for attorney
73 fees relating to this claim may not exceed 25 percent of the
74 total amount awarded under this act.

75 **Section 6.** This act shall take effect upon becoming a law.
76