

HB 6531

2025

1 A bill to be entitled

2 An act for the relief of H.H. by the Department of  
3 Children and Families; providing an appropriation to  
4 compensate H.H. for injuries and damages sustained as  
5 a result of the negligence of the department;  
6 providing a limitation on compensation and the payment  
7 of certain fees and costs; providing an effective  
8 date.

9  
10 WHEREAS, on May 3, 2017, H.H. was a healthy, normally  
11 developing 18 month old, when the Department of Children and  
12 Families received its first child abuse hotline report regarding  
13 H.H., which alleged substance abuse by H.H.'s mother and  
14 stepfather and that H.H.'s mother and stepfather were selling  
15 drugs out of, and harboring a fugitive in, the home, and

16 WHEREAS, during the course of its investigation of the  
17 initial child abuse hotline report, the department discovered  
18 that the stepfather had been released from the Department of  
19 Corrections 7 months prior to initiation of the department's  
20 investigation after being incarcerated for 3 1/2 years, was on  
21 probation, had been married to the mother for only 1 month and  
22 had been dating the mother for only 3 months prior to initiation  
23 of the department's investigation, and had a significant and  
24 dangerous criminal history that showed a pattern of impulsivity  
25 and violence, and

HB 6531

2025

26 WHEREAS, at the time of the initial child abuse hotline  
27 report, the stepfather had been involved in at least 35  
28 incidents resulting in police reports and his criminal history,  
29 ranging from 2003 through 2013, included a 2003 charge for  
30 driving under the influence, marijuana possession, and drug  
31 equipment possession; another 2003 charge for driving under the  
32 influence and possession of liquor by a person under the age of  
33 21 years; a 2003 charge for driving while his license was  
34 suspended or revoked, including a prior suspension for refusal  
35 to submit to a lawful test of breath; a 2003 charge for  
36 burglary; 2004 felony convictions for possession of cocaine,  
37 possession of drug paraphernalia, and burglary of a dwelling,  
38 for which he served concurrent sentences of 270 days and 55 days  
39 in jail; a 2004 arrest for resisting an officer without violence  
40 during a disturbance; a 2005 charging affidavit for violation of  
41 a court order and making threats toward his girlfriend's  
42 parents; a 2007 battery charge; a 2007 felony conviction for  
43 fleeing and eluding; a 2009 arrest for violation of probation  
44 relating to drug charges; a 2009 charge for marijuana  
45 possession, violation of driver license restrictions, and drug  
46 equipment possession; a 2010 arrest for possession of a  
47 controlled substance and possession of a firearm by a convicted  
48 felon; a 2010 arrest for involvement in a marijuana growing  
49 operation and the cultivation and manufacturing of cannabis;  
50 2011 felony convictions for possession of a Schedule II

HB 6531

2025

51 controlled substance, possession of a firearm by a convicted  
52 felon, manufacture of cannabis, possession of cocaine, fleeing  
53 and eluding, burglary of a dwelling, possession of drug  
54 paraphernalia, driving while his license was suspended, battery  
55 of a law enforcement officer, and escape, for which he was  
56 sentenced to two 366-day sentences in prison; and 2013 felony  
57 convictions for resisting arrest with violence, fleeing or  
58 attempting to elude, driving while his license was suspended or  
59 revoked, battery on a law enforcement officer, and escape, for  
60 which he was sentenced to 4 years in prison, and

61 WHEREAS, during the course of the department's  
62 investigation of the initial child abuse hotline report, H.H.'s  
63 stepfather refused to submit to a drug test, and

64 WHEREAS, during the course of its investigation of the  
65 initial abuse report, H.H.'s mother admitted to smoking  
66 marijuana and tested positive for marijuana, and

67 WHEREAS, despite the department's discoveries regarding  
68 risk of harm to H.H. during the investigation, the department  
69 failed to thoroughly investigate the child abuse hotline report  
70 by failing to speak with any persons who may have had  
71 information regarding H.H.'s safety, such as family members or  
72 the stepfather's probation officer, and failing to request  
73 relevant records and to refer the family to appropriate  
74 services, and

HB 6531

2025

75           WHEREAS, despite the department's knowledge of the  
76 potential risk for harm to H.H. as a result of the initial  
77 investigation, the department incorrectly assessed the danger to  
78 H.H. as "no present danger" under the care of her mother and  
79 stepfather, and

80           WHEREAS, on June 2, 2017, while the initial investigation  
81 still remained open, the department received a second child  
82 abuse hotline report regarding H.H., alleging substance misuse  
83 by the mother and stepfather and neglect of H.H. by the mother,  
84 and

85           WHEREAS, between June 2 and June 28, 2017, the department  
86 failed to investigate the allegations of the second abuse  
87 report, failing to conduct a home visit at the family's  
88 residence, to observe H.H., and to refer the family to services,  
89 and

90           WHEREAS, on June 28, 2017, the department visited a motel  
91 to which the family had recently relocated, but failed to  
92 conduct any additional investigation in connection with the  
93 second abuse report, and

94           WHEREAS, on July 2, 2017, the department closed both  
95 investigations with no findings without conducting a thorough  
96 investigation or ensuring H.H.'s safety, and

97           WHEREAS, on September 4, 2017, only 2 months after closing  
98 the first two cases alleging abuse of H.H., the department

HB 6531

2025

99 received four additional child abuse hotline reports regarding  
100 severe abuse and neglect of H.H., and

101 WHEREAS, on September 4, 2017, H.H. was admitted to the  
102 hospital with life-threatening injuries, and

103 WHEREAS, upon admission to the hospital, H.H. was  
104 unconscious and unresponsive, had a severe traumatic head  
105 injury, had multiple areas of bleeding in her brain, had severe  
106 brain swelling caused by repetitive abusive head trauma, had eye  
107 injuries, was in respiratory failure requiring ventilator  
108 support, was placed in a medically induced coma, underwent two  
109 cranioplasties to remove parts of her skull to allow her brain  
110 swelling to go down, received various other intensive medical  
111 interventions and treatment, and was determined to be the victim  
112 of severe, prolonged, repeated, life-threatening physical abuse  
113 that caused permanent damage, and

114 WHEREAS, due to the significance of her injuries, H.H.  
115 remained in the hospital for 109 days, and

116 WHEREAS, a law enforcement investigation determined that  
117 H.H. had been physically abused, neglected, and tortured by her  
118 mother and stepfather, and

119 WHEREAS, only then did the department finally remove H.H.  
120 from the care of her mother, placing her in the custody of the  
121 department, and

122 WHEREAS, as a result of the law enforcement investigation,  
123 H.H.'s mother was charged with and convicted of aggravated child

HB 6531

2025

124 abuse and child neglect causing great bodily harm and was  
125 sentenced to 40 years in prison, and H.H.'s stepfather was  
126 charged with and convicted of possession of a firearm by a  
127 convicted felon, aggravated child abuse, and child abuse neglect  
128 causing great bodily harm and was sentenced to 25 years in  
129 prison, and

130 WHEREAS, as a consequence of the department's negligence  
131 and failure to take protective action, H.H. suffered  
132 catastrophic and permanent injuries, including, but not limited  
133 to, permanent traumatic brain damage, cerebral palsy,  
134 encephalomalacia, ventriculomegaly, profound developmental  
135 delays, inability to walk or talk, inability to sit up  
136 independently, dysphagia, inability to eat requiring use of a  
137 feeding tube, posttraumatic epilepsy and seizures that  
138 necessitated surgery and the implantation of a vagus nerve  
139 stimulation device in her chest and surgery, spasticity, neuro  
140 storming/automatic dysfunction, obstructive sleep apnea, chronic  
141 constipation and gastroesophageal reflux disease, and chronic  
142 lung disease/restrictive lung disease, and

143 WHEREAS, H.H. has also been treated for acute respiratory  
144 failure, anemia, transaminitis, hyperglycemia, fevers,  
145 tachycardia, candida stomatitis, and acute tracheitis, and

146 WHEREAS, in November 2022, H.H. underwent corpus callostomy  
147 surgery to treat seizures that were occurring multiple times  
148 daily, and

HB 6531

2025

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

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

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

158 WHEREAS, H.H. requires and will continue to require  
 159 constant care, monitoring, supervision, various therapies,  
 160 multiple specialist services, and supportive care throughout the  
 161 remainder of her life, and

162 WHEREAS, as the state agency charged under chapter 39,  
 163 Florida Statutes, with operating the child welfare system in  
 164 this state, including the conduct of child protective  
 165 investigations to ensure child safety and the prevention of  
 166 further harm to children, the department failed in its duty to  
 167 ensure H.H.'s safety and protect her from harm, NOW, THEREFORE,

168  
 169 Be It Enacted by the Legislature of the State of Florida:

170  
 171 **Section 1.** The facts stated in the preamble to this act  
 172 are found and declared to be true.

HB 6531

2025

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

177        **Section 3.** The Chief Financial Officer is directed to draw  
178 a warrant in favor of H.H., payable to an irrevocable trust  
179 created for the exclusive use and benefit of H.H., in the sum of  
180 \$14,926,639.56 upon funds of the Department of Children and  
181 Families in the State Treasury and to pay the same out of such  
182 funds in the State Treasury.

183        **Section 4.** The amount paid by the Department of Children  
184 and Families pursuant to s. 768.28, Florida Statutes, and the  
185 amount awarded under this act are intended to provide the sole  
186 compensation for all present and future claims arising out of  
187 the factual situation described in this act which resulted in  
188 injuries and damages to H.H. The total amount paid for attorney  
189 fees relating to this claim may not exceed 25 percent of the  
190 total amount awarded under this act.

191        **Section 5.** This act shall take effect upon becoming a law.