

## House Bill No. 1555

An act relating to the South Broward Hospital District; providing for the relief of Clarice Holland, individually as surviving spouse of Sidney Holland, Jr., deceased, and as Personal Representative of the Estate of Sidney Holland, Jr., deceased; providing for an appropriation to compensate them for losses sustained as a result of the negligence of South Broward Hospital District, d.b.a. Memorial Regional Hospital, which resulted in the death of Sidney Holland, Jr.; providing an effective date.

WHEREAS, on or about October 6, 1995, Sidney Holland, Jr., was admitted to and operated on at South Broward Hospital District, d.b.a. Memorial Regional Hospital, for the surgical resection of an anterior temporal arterial venous malformation, and

WHEREAS, during the operative procedure, because of acts of negligence or omission by the South Broward Hospital District, d.b.a. Memorial Regional Hospital, Sidney Holland, Jr., suffered a massive hemorrhage resulting in severe and permanent brain damage and death, and

WHEREAS, South Broward Hospital District, d.b.a. Memorial Regional Hospital, through its agents or employees, fell below the prevailing professional standard of care in its treatment of Sidney Holland, Jr., deceased, by failing to perform necessary procedures, and

WHEREAS, as a direct and proximate result of the negligence of South Broward Hospital District, d.b.a. Memorial Regional Hospital, Clarice Holland, individually, and as Personal Representative of the Estate of Sidney Holland, Jr., deceased, has suffered the loss of a husband, a father for her child, and a provider, and will continue to suffer the loss of income, love, and affection of Sidney Holland, Jr., and

WHEREAS, on October 2, 1998, Clarice Holland, individually, and as Personal Representative of the Estate of Sidney Holland, Jr., deceased, and South Broward Hospital District, d.b.a. Memorial Regional Hospital, entered into a Mediation Agreement in Case No. 98-18216-CA(25), Circuit Court of Broward County, and

WHEREAS, in this Mediation Agreement the parties agreed to enter into a consent judgment whereby South Broward Hospital District, d.b.a. Memorial Regional Hospital, would pay to Clarice Holland, individually, and as Personal Representative of the Estate of Sidney Holland, Jr., deceased, the sum of \$1,882,500 for injuries sustained as a result of negligence of South Broward Hospital District, d.b.a. Memorial Regional Hospital, and

WHEREAS, a consent judgment was entered into between the parties, causing South Broward Hospital District, d.b.a. Memorial Regional Hospital, to pay \$200,000, the statutory limit of liability under section 768.28, Florida Statutes, and

WHEREAS, the consent judgment further provides that the plaintiffs may file a claim bill with the Legislature to recover damages in excess of \$200,000 and that the district will support a claim bill in the amount of \$1,682,500, 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 South Broward Hospital District, d.b.a. Memorial Regional Hospital, is authorized and directed to appropriate from funds of the hospital district not otherwise appropriated and to draw a warrant in the sum of \$1,682,500 payable to Clarice Holland, individually, and as Personal Representative of the Estate of Sidney Holland, Jr., deceased, as compensation for injuries and damages sustained.

Section 3. This act shall take effect upon becoming a law.

Approved by the Governor June 5, 2000.

Filed in Office Secretary of State June 5, 2000.