

Senate Bill No. 8

An act for the relief of Towanna Denise Hopkins, incompetent, by and through Willie Lee Hopkins, her father and legally appointed guardian, Robert Keith Bowman, Jr., son of Towanna Denise Hopkins, and Willie Lee Hopkins, individually; authorizing and directing the Florida Board of Regents, the University of South Florida, and the USF Health Sciences Center Insurance Company to compensate them for injuries and damages sustained as a result of the negligence of agents of the Florida Board of Regents by and through the University of South Florida College of Medicine; providing an effective date.

WHEREAS, on April 25, 1996, Towanna Denise Hopkins was a 31-year-old single mother raising her 15-year-old son, Robert Keith Bowman, Jr., and

WHEREAS, Towanna Denise Hopkins, who was otherwise in good health, underwent surgery to remove a benign liver tumor on April 25, 1996, and

WHEREAS, physicians, including residents from the University of South Florida, who were agents and employees of the Board of Regents of the State of Florida were charged with the responsibility for the surgery performed on Towanna Denise Hopkins, as well as for her post-surgical care and management, and

WHEREAS, the surgical techniques that were employed resulted in substantial abdominal blood loss of approximately 21 liters during the course of the surgery, and

WHEREAS, immediately following her surgery, Towanna Denise Hopkins continued to experience significant blood loss, which continued through the evening after the surgery, as well as the next morning, and

WHEREAS, on the morning of April 26, 1996, immediate or emergency surgery was scheduled to correct post-surgical bleeding, and

WHEREAS, emergency surgery did not take place, and surgery was not performed until 1:30 p.m. on April 26, 1996, and

WHEREAS, as a result of uncorrected or uncontrolled post-operative bleeding, Ms. Hopkins went into cardiac and respiratory arrest during the surgery that was conducted on April 26, 1996, resulting in profound and substantial irreversible anoxic brain damage, and

WHEREAS, as a result of these injuries, Towanna Hopkins is in a minimally conscious or comatose state with little or no cognitive function and has been and remains a patient at University Village Nursing Home and requires continuous 24-hour-a-day care, and

WHEREAS, Towanna Denise Hopkins has been caused to suffer physical incapacitation, mental pain and suffering, disfigurement, loss of the enjoyment of life, past and future medical expenses, loss of past wages and of

future earning capacity, disability, and expenses for medical and nursing care and treatment, and

WHEREAS, Towanna Denise Hopkins' son, Robert Keith Bowman, Jr., sustained damages, including permanent loss of the services, comfort, companionship, and society of his mother, and

WHEREAS, a lawsuit was brought against the Florida Board of Regents and the insurer for the University of South Florida's Medical School, the USF Health Sciences Center Insurance Company, and

WHEREAS, this matter was scheduled for jury trial during the week of June 19, 2000, and

WHEREAS, prior to trial, the parties began negotiations in an effort to settle this matter and provide adequate compensation to Ms. Hopkins and her family for their losses, and

WHEREAS, on July 19, 2000, the parties signed a settlement agreement, in which they agreed to a compromise settlement to be paid pursuant to the settlement agreement, the terms of which are hereby adopted and incorporated by reference, and

WHEREAS, the Florida Board of Regents and the USF Health Sciences Center Insurance Company support the claim bill and have agreed to assist in the passage of the claim bill, NOW, THEREFORE,

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

Section 1. The Florida Board of Regents, the University of South Florida, and the USF Health Sciences Center Insurance Company, collectively, are authorized and directed to appropriate, from funds not otherwise appropriated and to draw a warrant in the sum of \$3,260,563 payable to Towanna Denise Hopkins, incompetent, by and through her father and legally appointed guardian, Willie Lee Hopkins, as compensation for past and future damages arising out of injuries she sustained as a result of the negligence of agents of the Florida Board of Regents by and through the University of South Florida College of Medicine.

Section 2. The Florida Board of Regents, the University of South Florida, and the USF Health Sciences Center Insurance Company, collectively, are authorized and directed to appropriate from funds not otherwise appropriated and to draw a warrant in the sum of \$333,333 payable to Robert Keith Bowman, Jr., son of Towanna Denise Hopkins, as compensation for past and future damages arising out of injuries sustained by his mother, Towanna Denise Hopkins.

Section 3. The Florida Board of Regents, the University of South Florida, and the USF Health Sciences Center Insurance Company, collectively, are authorized and directed to appropriate from funds not otherwise appropriated and to draw a warrant in the sum of \$100,000 payable to Willie Lee Hopkins, individually, as compensation for past and future medical ex-

penses incurred in providing care for his daughter, Towanna Denise Hopkins.

Section 4. The Comptroller is directed to draw a warrant in favor of Willie Lee Hopkins, father and legally appointed guardian of Towanna Denise Hopkins, for the benefit of Towanna Denise Hopkins, in the sum of \$3,260,563 upon funds of the Florida Board of Regents, the University of South Florida, and the USF Health Sciences Insurance Company, collectively, in the State Treasury not otherwise appropriated, and the State Treasurer is directed to pay the same out of such funds in the State Treasury.

Section 5. The Comptroller is directed to draw a warrant in favor of Robert Keith Bowman, Jr., in the sum of \$333,333 upon funds of the Florida Board of Regents, the University of South Florida, and the USF Health Sciences Insurance Company, collectively, in the State Treasury not otherwise appropriated, and the State Treasurer is directed to pay the same out of such funds in the State Treasury.

Section 6. The Comptroller is directed to draw a warrant in favor of Willie Lee Hopkins in the sum of \$100,000 upon funds of the Florida Board of Regents, the University of South Florida, and the USF Health Sciences Insurance Company, collectively, in the State Treasury not otherwise appropriated, and the State Treasurer is directed to pay the same out of such funds in the State Treasury.

Section 7. This act shall take effect upon becoming a law.

Approved by the Governor June 5, 2002.

Filed in Office Secretary of State June 5, 2002.