

## CHAPTER 2011-244

### House Bill No. 609

An act for the relief of Laron S. Harris, Jr., by and through his parents, Melinda Williams and Laron S. Harris, Sr., and Melinda Williams and Laron S. Harris, Sr., individually, by the North Broward Hospital District, d/b/a Coral Springs Medical Center; providing for an appropriation to compensate them for injuries sustained as a result of the negligence of the Coral Springs Medical Center; providing a limitation on the payment of fees and costs; providing an effective date.

WHEREAS, Laron S. Harris, Jr., was born at the Coral Springs Medical Center on April 1, 2003, suffering from severe perinatal asphyxia and severe hypoperfusion, and has significant brain damage as a result of those conditions, and

WHEREAS, Laron's mother, Melinda Williams, who was approximately 8 months pregnant, arrived by ambulance at the medical center at or around 5:45 a.m. on April 1, 2003, and was bleeding significantly and having abdominal pain, and

WHEREAS, at 7:55 a.m., Dr. Richard Spira performed an ultrasound and strongly suspected that a placental abruption had occurred and recommended that another sonogram be performed in the ultrasound department of the medical center, and

WHEREAS, at 8:45 a.m., a registered nurse performed a bedside ultrasound on Ms. Williams using a portable ultrasound machine rather than the more reliable ultrasound equipment recommended by Dr. Spira in the ultrasound department, and

WHEREAS, Ms. Williams was not taken to the ultrasound department for the further examinations as requested by Dr. Spira until after 9:20 a.m., and

WHEREAS, Ms. Williams finally was sent to the operating room at 9:45 a.m. for an emergency cesarean section that was performed by Dr. Desouza; however, the surgery, which showed that the placenta was 40 to 50 percent abruprt, did not begin until 10:14 a.m., and

WHEREAS, the injuries Laron sustained were foreseeable and preventable and the medical center had a duty to prevent his injuries, and

WHEREAS, the medical center breached its duties to Laron and Ms. Williams by failing to timely diagnose the existence of the placental abruption and to timely perform an emergency cesarean section upon diagnosing the placental abruption, and

WHEREAS, if the doctors at the medical center had promptly diagnosed the placental abruption and timely performed the emergency cesarean

section, Laron most likely would not have suffered from severe perinatal asphyxia and would not have developed permanent neurological damage, and

WHEREAS, Laron S. Harris, Jr., and his parents Melinda Williams and Laron S. Harris, Sr., filed a lawsuit against the North Broward Hospital District, d/b/a Coral Springs Medical Center, which was resolved through a mediated consent judgment for the sum of \$2.2 million, the payment of \$200,000 authorized by the state’s limited waiver of sovereign immunity under s. 768.28, Florida Statutes, and an agreement to support a claim bill for the remaining amount of \$2 million, 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 North Broward Hospital District, d/b/a Coral Springs Medical Center, is authorized and directed to appropriate from funds of the district not otherwise appropriated and to draw a warrant in the sum of \$2 million payable to Laron S. Harris, Jr., by and through his parents Melinda Williams and Laron S. Harris, Sr., and to Melinda Williams and Laron S. Harris, Sr., individually, as compensation for injuries and damages sustained.

Section 3. The amount paid by the North Broward Hospital District pursuant to s. 768.28, Florida Statutes, and this award are intended to provide the sole compensation for all present and future claims arising out of the factual situation that resulted in the injuries to Laron S. Harris, Jr., and his parents Melinda Williams and Laron S. Harris, Sr. The total amount paid for attorney’s fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed 25 percent of the amount awarded under this act.

Section 4. This act shall take effect upon becoming a law.

Approved by the Governor June 21, 2011.

Filed in Office Secretary of State June 21, 2011.