

CHAPTER 2012-249

Committee Substitute for Committee Substitute for House Bill No. 965

An act for the relief of Aaron Edwards, a minor, by Lee Memorial Health System of Lee County; providing for an appropriation to compensate Aaron Edwards for damages sustained as a result of medical negligence by employees of Lee Memorial Health System of Lee County; providing a limitation on the payment of fees and costs; providing an effective date.

WHEREAS, Aaron Edwards was born on September 5, 1997, at Lee Memorial Hospital, and

WHEREAS, Aaron Edwards suffered permanent injuries to his brain as a consequence of an acute hypoxic ischemic episode at birth, and

WHEREAS, after a 6-week trial, a jury in Lee County returned a verdict in favor of Aaron Edwards, finding Lee Memorial Health System 100 percent responsible for Aaron Edwards' injuries, and awarded a total of \$28,477,966.48 to the Guardianship of Aaron Edwards, and

WHEREAS, the court also awarded \$174,969.65 in taxable costs, and

WHEREAS, Lee Memorial Health System tendered \$200,000 toward payment of this claim, in accordance with the statutory limits of liability set forth in s. 768.28, Florida Statutes, 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. Lee Memorial Health System, formerly known as the Hospital Board of Directors of Lee County, is authorized and directed to appropriate from funds not otherwise appropriated and to draw a warrant as compensation for the injuries suffered by Aaron Edwards in the sum of \$10,000,000 due by December 31, 2012, plus an additional \$1,000,000 by July 1 of each year beginning in 2013 through 2017, inclusive, for a total of \$15,000,000, payable to the Guardianship of Aaron Edwards, to be placed in a special needs trust created for the exclusive use and benefit of Aaron Edwards, a minor.

Section 3. The amount paid by Lee Memorial Health System pursuant to s. 768.28, Florida Statutes, and the amount awarded under this act are intended to provide the sole compensation for all present and future claims arising out of the factual situation described in this act which resulted in the injuries suffered by Aaron Edwards. The total amount paid for attorney's fees, lobbying fees, costs, and other similar expenses relating to this claim may not exceed \$100,000.

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

Approved by the Governor March 29, 2012.

Filed in Office Secretary of State March 29, 2012.