

CHAPTER 2015-213

Committee Substitute for House Bill No. 3527

An act for the relief of Asia Rollins by the Public Health Trust of Miami-Dade County, d/b/a Jackson Memorial Hospital; providing an appropriation to compensate her for injuries and damages sustained as a result of the negligence of the Public Health Trust of Miami-Dade County; providing a limitation on the payment of fees and costs; providing an effective date.

WHEREAS, on October 26, 2011, 3-year-old Asia Rollins suffered a seizure at her day care center and was taken by emergency medical personnel to Jackson Memorial Hospital, and

WHEREAS, at the hospital, Asia Rollins experienced difficulty breathing and was electively intubated a total of four times, during the third of which vomit was expelled from her endotracheal tube, and

WHEREAS, the delay between the intubations deprived Asia Rollins of oxygen for extended periods, causing her oxygen levels and heart rate to decrease, and

WHEREAS, as a result of her depleted oxygen levels and decreased heart rate, Asia Rollins went into asystole, and

WHEREAS, by the time cardiopulmonary resuscitation was completed, Asia Rollins had suffered a global ischemic brain injury and was subsequently diagnosed with hypoxic ischemic encephalopathy and cortical blindness, and

WHEREAS, Asia Rollins, now 6 years old, is unable to walk or talk and will never be able to live an independent life, and

WHEREAS, Asia Rollins's neurologist recommends that she receive 24-hour care for the rest of her life, and

WHEREAS, Asia Rollins needs assistive devices for ambulation and is unable to dress or feed herself or get around her home, which requires modification to accommodate the required assistive and therapy devices, and

WHEREAS, the Public Health Trust of Miami-Dade County agreed to settle Asia Rollins's claim for \$999,999, and

WHEREAS, \$300,000 has been paid pursuant to the statutory limits of liability in s. 768.28, Florida Statutes, and \$699,999 remains to be paid, 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 Public Health Trust of Miami-Dade County, d/b/a Jackson Memorial Hospital, is authorized and directed to appropriate from funds not otherwise encumbered and to draw a warrant in the sum of \$699,999 payable to the Supplemental Care Trust for the Benefit of Asia Rose Rollins or other special needs trust for the exclusive use and benefit of Asia Rollins.

Section 3. The amount paid by the Public Health Trust of Miami-Dade County 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 and damages to Asia Rollins.

Section 4. The total amount paid for attorney 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 5. This act shall take effect upon becoming a law.

Approved by the Governor June 11, 2015.

Filed in Office Secretary of State June 11, 2015.