

## CHAPTER 2021-267

### Committee Substitute for House Bill No. 6511

An act for the relief of the Estate of Crystle Marie Galloway by the Hillsborough County Board of County Commissioners; providing for an appropriation to compensate the estate for injuries sustained by Crystle Marie Galloway and her survivors as a result of the negligence of employees of the Hillsborough County Board of County Commissioners; providing a limitation on the payment of fees; providing an effective date.

WHEREAS, on or about June 27, 2018, Crystle Marie Galloway gave birth to her son, Jacob Aiden Flowers, via caesarean section and was discharged from the hospital on or about June 29, 2018, and

WHEREAS, on or about July 4, 2018, at approximately 3:02 a.m., Ms. Galloway's mother, Nicole Black, contacted the Hillsborough County Fire Rescue emergency dispatch center via 911 to request medical assistance for Ms. Galloway, and

WHEREAS, during the 911 call, Ms. Black requested an ambulance for her daughter, advising the dispatcher that Ms. Galloway had recently given birth and that she was found unconscious in the bathroom with swollen lips and drool coming out of her mouth, and

WHEREAS, the nature of the emergency was classified as a stroke or cerebrovascular accident, and at approximately 3:05 a.m., four paramedics employed by the Hillsborough County Fire Rescue were dispatched to Ms. Galloway's home and arrived at approximately 3:17 a.m., and

WHEREAS, two deputies from the Hillsborough County Sheriff's office who first arrived at Ms. Galloway's home in response to the 911 call advised the paramedics employed by Hillsborough County Fire Rescue that Ms. Galloway was complaining of a headache and sensitivity to light and sound, had not consumed any medication or alcohol, and had given birth via caesarean section a few days earlier, and

WHEREAS, although the paramedics employed by Hillsborough County Fire Rescue observed Ms. Galloway crying, complaining of a headache, and vomiting, they did not take Ms. Galloway's vitals or perform any physical examination of her, and

WHEREAS, at 3:30 a.m., approximately 13 minutes after arriving at Ms. Galloway's home, the paramedics employed by Hillsborough County Fire Rescue left without Ms. Galloway and reported the incident as "Nontransport/No Patient Found" and "Nontransport/Cancel," and

WHEREAS, while Ms. Black was transporting Ms. Galloway to the hospital in her personal vehicle, Ms. Galloway began having seizures, and a

CT scan of her brain performed at the emergency room later revealed an acute subarachnoid hemorrhage, most likely secondary to an aneurysm, and

WHEREAS, as the facility where Ms. Galloway was first admitted was not equipped to handle the required neurological interventions, Ms. Galloway was later transported to Tampa General Hospital, where she underwent a cerebral angiogram with coil placement into the aneurysm, and

WHEREAS, despite efforts by physicians at Tampa General Hospital to treat Ms. Galloway, she passed away on July 9, 2018, and

WHEREAS, as the Hillsborough County Board of County Commissioners provides emergency medical and health care services to its residents through entities that include Hillsborough County Fire Rescue, paramedics employed by Hillsborough County Fire Rescue are employees and agents of the Hillsborough County Board of County Commissioners, and

WHEREAS, such employees of the Hillsborough County Board of County Commissioners had a duty to use reasonable care in the treatment of Ms. Galloway, and

WHEREAS, such employees of the Hillsborough County Board of County Commissioners breached that duty by deviating from the acceptable and appropriate standards of care in providing inadequate care to Ms. Galloway, and

WHEREAS, the Estate of Crystle Marie Galloway alleged, through a lawsuit filed October 17, 2019, in the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, that the negligence of the Hillsborough County Board of County Commissioners, through its employees, was the proximate cause of Ms. Galloway's death, and

WHEREAS, following the filing of the lawsuit, the Hillsborough County Board of County Commissioners and the Estate of Crystle Marie Galloway reached a settlement agreement in the amount of \$2.75 million, of which \$300,000 has been paid to the Estate of Crystle Marie Galloway pursuant to the limits of liability set forth in s. 768.28, Florida Statutes, and the remainder is conditioned upon the passage of a claim bill, which is agreed to by the Hillsborough County Board of County Commissioners, in the amount of \$2.45 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 Hillsborough County Board of County Commissioners is authorized and directed to appropriate from funds of the county not otherwise encumbered and to draw a warrant in the sum of \$2.45 million

payable to Nicole Black as personal representative of the Estate of Crystle Marie Galloway as compensation for injuries and damages sustained.

Section 3. The amount paid by the Hillsborough County Board of County Commissioners 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 death of Crystle Marie Galloway, including injuries and damages to the Estate of Crystle Marie Galloway and her survivors. Of the amount awarded under this act, the total amount paid for attorney fees relating to this claim may not exceed \$612,500, the total amount paid for lobbying fees may not exceed \$122,500, and the total amount paid for costs or other similar expenses may not exceed \$20,906.04.

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

Approved by the Governor June 29, 2021.

Filed in Office Secretary of State June 29, 2021.