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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/08/2025	.	
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The Committee on Rules (Rodriguez) recommended the following:

Senate Amendment

In title, delete lines 56 - 105
and insert:

that E.E.M. had not had a bowel movement in 3 days, with
decreased bowel sounds, and a distended abdomen, and

WHEREAS, on January 3, 2018, E.E.M. had an X-ray with
contrast which indicated "suspicious" for small bowel
obstruction, and an X-ray performed an hour later indicated
"highly suspicious" for a small bowel obstruction, and

WHEREAS, on January 4, 2018, E.E.M. had another X-ray with



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contrast of his chest and abdomen which showed that the contrast liquid did not advance through the small bowel, indicating an issue with obstruction, and

WHEREAS, although E.E.M.'s symptoms, laboratory values, and radiological and other clinical findings were consistent with an intestinal blockage or rupture, Joe DiMaggio Children's Hospital medical staff failed to appropriately evaluate and diagnose E.E.M.'s condition, and

WHEREAS, on January 5, 2018, E.E.M. was transferred to Holtz Children's Hospital at Jackson Memorial Hospital in Miami-Dade County, and

WHEREAS, upon admission at Holtz, E.E.M. was suffering from sepsis with multiorgan failure, among other life-threatening conditions, and underwent a CT scan that showed evidence of a bowel perforation, and

WHEREAS, on January 6, 2018, only hours after admission, E.E.M. underwent an exploratory laparotomy, a small bowel resection, an ileostomy, and a mucous transverse colostomy fistula, and, over the next few weeks, had numerous other surgeries associated with small bowel obstruction, and

WHEREAS, on May 28, 2020, Mr. and Mrs. Miles filed suit in the 17th Judicial Circuit, in and for Broward County, case no. 20-008839, against the South Broward Hospital District, d/b/a Joe DiMaggio Children's Hospital and other parties, alleging, in part, negligence of the district and its providers in failing to properly evaluate, diagnose, and treat E.E.M.'s small bowel obstruction, and

WHEREAS, E.E.M. suffered life-altering and horrific injuries and damages, such as significant anal dilation; kidney



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stones; the loss of his terminal ileum, right colon, omentum, appendix, and significant portions of his small intestine; and missed significant developmental milestones, and

WHEREAS, on September 1, 2023, E.E.M. passed away at 7 years of age, and

WHEREAS, in May 2024, Mr. and Mrs. Miles, as the copersonal representatives of E.E.M., and the South Broward Hospital District, d/b/a Joe DiMaggio Children's Hospital entered into a settlement agreement for \$500,000, and

WHEREAS, in accordance with s. 768.28, Florida Statutes, the South Broward Hospital District paid \$300,000 to Mr. and Mrs. Miles, as copersonal representatives of E.E.M., and

WHEREAS, the settlement agreement provides for the entry of a consent judgment for the remaining amount of \$200,000 and the South