

STORAGE NAME: h3047a.cjc
DATE: March 17, 1998

**Florida House of Representatives
Committee on Civil Justice & Claims
Summary Claim Bill Report**

Bill #: HB 3047
Sponsor(s): Representative Lynn
Reference: Civil Justice and Claims
Companion Bill(s): SB 54 by Senator Dyer

A. Basic Information

1. **Claimant:** Michelle and Kathy Jones
2. **Respondent:** West Volusia Hospital Authority (WVHA)
3. **Amount Requested:** \$1,972,540
4. **Type of Claim:** Excess Judgment/Settlement
5. **Respondent's Posture:** WVHA has agreed to the settlement,
6. **Collateral Sources:** \$250,000 from treating physician in prior settlement.
Florida Medicaid has asserted a lien for \$187,951.83
7. **Prior Legislative History:** None

B. Procedural Summary: This case went to jury trial in July 1994. Jury awarded claimants \$9,367,926.17 in damages against WVHA for medical negligence. On appeal, the verdict was affirmed as to claimants in February 1996. An amended final judgment which included costs and interest was entered in 1996, in the amount of \$11,714,310.54. Subsequent to the filing of this claim bill, the parties agreed to settle this case. WVHA has paid \$200,000, the statutory limit, toward partial satisfaction of the claim.

C. Facts of the Case: Michelle Jones, as an infant, suffered extensive neurological injuries caused by hypoglycemia, or low blood sugar, shortly after her birth on January 5, 1987 at West Volusia Memorial Hospital. Claimant Kathy Jones is her mother and sole custodian. Michelle Jones has permanent and extensive mental and physical damage and will require total care and treatment for the remainder of her life.

SM: _____ **LRD:** _____ **Date:** March 3, 1998
Richard Hixson Richard Hixson