

ENROLLED

CS/HB 6511

2021 Legislature

1  
2 An act for the relief of the Estate of Crystle Marie  
3 Galloway by the Hillsborough County Board of County  
4 Commissioners; providing for an appropriation to  
5 compensate the estate for injuries sustained by  
6 Crystle Marie Galloway and her survivors as a result  
7 of the negligence of employees of the Hillsborough  
8 County Board of County Commissioners; providing a  
9 limitation on the payment of fees; providing an  
10 effective date.

11  
12 WHEREAS, on or about June 27, 2018, Crystle Marie Galloway  
13 gave birth to her son, Jacob Aiden Flowers, via caesarean  
14 section and was discharged from the hospital on or about June  
15 29, 2018, and

16 WHEREAS, on or about July 4, 2018, at approximately 3:02  
17 a.m., Ms. Galloway's mother, Nicole Black, contacted the  
18 Hillsborough County Fire Rescue emergency dispatch center via  
19 911 to request medical assistance for Ms. Galloway, and

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

25 WHEREAS, the nature of the emergency was classified as a

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26 | stroke or cerebrovascular accident, and at approximately 3:05  
27 | a.m., four paramedics employed by the Hillsborough County Fire  
28 | Rescue were dispatched to Ms. Galloway's home and arrived at  
29 | approximately 3:17 a.m., and

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

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

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

46 |       WHEREAS, while Ms. Black was transporting Ms. Galloway to  
47 | the hospital in her personal vehicle, Ms. Galloway began having  
48 | seizures, and a CT scan of her brain performed at the emergency  
49 | room later revealed an acute subarachnoid hemorrhage, most  
50 | likely secondary to an aneurysm, and

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

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

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

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

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

72 WHEREAS, the Estate of Crystle Marie Galloway alleged,  
73 through a lawsuit filed October 17, 2019, in the Circuit Court  
74 of the Thirteenth Judicial Circuit in and for Hillsborough  
75 County, that the negligence of the Hillsborough County Board of

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76 County Commissioners, through its employees, was the proximate  
 77 cause of Ms. Galloway's death, and

78 WHEREAS, following the filing of the lawsuit, the  
 79 Hillsborough County Board of County Commissioners and the Estate  
 80 of Crystle Marie Galloway reached a settlement agreement in the  
 81 amount of \$2.75 million, of which \$300,000 has been paid to the  
 82 Estate of Crystle Marie Galloway pursuant to the limits of  
 83 liability set forth in s. 768.28, Florida Statutes, and the  
 84 remainder is conditioned upon the passage of a claim bill, which  
 85 is agreed to by the Hillsborough County Board of County  
 86 Commissioners, in the amount of \$2.45 million, NOW, THEREFORE,

87

88 Be It Enacted by the Legislature of the State of Florida:

89

90 Section 1. The facts stated in the preamble to this act  
 91 are found and declared to be true.

92 Section 2. The Hillsborough County Board of County  
 93 Commissioners is authorized and directed to appropriate from  
 94 funds of the county not otherwise encumbered and to draw a  
 95 warrant in the sum of \$2.45 million payable to Nicole Black as  
 96 personal representative of the Estate of Crystle Marie Galloway  
 97 as compensation for injuries and damages sustained.

98 Section 3. The amount paid by the Hillsborough County  
 99 Board of County Commissioners pursuant to s. 768.28, Florida  
 100 Statutes, and the amount awarded under this act are intended to

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101 provide the sole compensation for all present and future claims  
102 arising out of the factual situation described in this act which  
103 resulted in the death of Crystle Marie Galloway, including  
104 injuries and damages to the Estate of Crystle Marie Galloway and  
105 her survivors. Of the amount awarded under this act, the total  
106 amount paid for attorney fees relating to this claim may not  
107 exceed \$612,500, the total amount paid for lobbying fees may not  
108 exceed \$122,500, and the total amount paid for costs or other  
109 similar expenses may not exceed \$20,906.04.

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