

INDEPENDENT NEWSMEDIA INC. USA

Lake Okeechobee News
107 SW 17th Street, Suite D
Okeechobee, Florida 34974
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STATE OF FLORIDA
COUNTY OF OKEECHOBEE

Before the undersigned authority personally appeared Katrina Elsen Muros, who on oath says she is the Publisher of the Lake Okeechobee News, a weekly Newspaper published in Okeechobee County, Florida, that the attached copy of an advertisement being a Public Notice

in the matter of Notice

in the 19th Judicial District of the Circuit Court of Okeechobee County, Florida, was published in said newspaper in the issues of

10/20, 27; 11/3, 10/2021

Affiant further says that the said Lake Okeechobee News is a newspaper published at Okeechobee, in said Okeechobee County, Florida, and that said newspaper has heretofore been published continuously in said Okeechobee County, Florida each week and has been entered as second class mail matter at the post office in Okeechobee, in said Okeechobee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Katrina Elsen Muros

Katrina Elsen Muros

Sworn to and subscribed before me by means of physical presence or online notarization, this 10th day of November 2021 AD

Notary Public, State of Florida at Large

Janet Sue Madray



NOTICE OF PUBLICATION TO WHOM IT MAY CONCERN

Notice is hereby given of the intention to apply to the 2022 Regular Legislative Session or subsequent sessions held in 2022 (or after) of the State of Florida Legislature for passage of a bill to provide for the relief of Rafael Rodriguez for injuries sustained while treated by Hendry County Hospital Authority arising out of a medical malpractice lawsuit for medical negligence that occurred on or about October 11, 2007 in Hendry County, Florida involving Hendry Regional Medical Center. The name of the claimant is Rafael Rodriguez. The total amount sought through the claims bill is \$7,500,000.00 (Seven Million, Five Hundred Thousand Dollars) Counsel for the Plaintiff is Howard S. Grossman, Esq., Florida Bar Number #54771, Grossman Attorneys at Law, 1096 NW Boca Raton Blvd., Boca Raton, FL 33432.

A bill to be entitled

An act for relief of RAFAEL RODRIGUEZ, by the Hendry County Hospital Authority; providing for an appropriation to compensate RAFAEL RODRIGUEZ for the negligence of Hendry County Hospital Authority; providing an effective date.

WHEREAS, on September 30, 2007, Rafael Rodriguez presented to the emergency room at Hendry Regional Medical Center, which is a hospital owned and operated by Hendry County Hospital Authority ("HRMC").

WHEREAS, Mr. Rodriguez was admitted with a diagnosis of a perforated diverticulitis, and general surgeon, Dr. Ramon Leonard Carroll, Jr., an employee of HRMC, ordered treatment with IV antibiotics in lieu of a colectomy. Hospitalist, Dr. Hans Louis Charles, an HRMC employee, acceded to Dr. Carroll's non-surgical care plan and.

WHEREAS, a CT scan of the pelvis and abdomen was performed and showed evidence of a perforated sigmoid diverticulum, and

WHEREAS, Mr. Rodriguez was evaluated by Dr. Carroll, who concluded that Mr. Rodriguez's symptoms and radiological findings showed free intraperitoneal air around the colon evidencing a perforated diverticulum, and

WHEREAS, on October 2, 2007, after two days of antibiotic treatment, Mr. Rodriguez was still complaining of lack of bowel movements and lower suprapubic tenderness.

WHEREAS, Dr. Charles sought a surgical consult with Dr. Carroll, advising that the IV antibiotics were not working to treat the perforated diverticulum; interval development of a fistula had formed between the bladder and colon; diverticulum. However, the discussion resulted in the negligent joint decision to treat Mr. Rodriguez expectantly with non-surgical care, and

WHEREAS, on October 4, 2007, a repeat CT scan of the abdomen and pelvis revealed a 100% perforation with fistula formation, lack of resolution of infection, and

WHEREAS, after Dr. Charles and Dr. Carroll conferred on this case, they both agreed to treat Mr. Rodriguez non-surgically, even though Dr. Charles in his progress note recommended STAT surgical intervention, and

WHEREAS, on October 8, 2007, Dr. Charles transferred Mr. Rodriguez's care to another HRMC employee hospitalist, Dr. Prashant Barakoti, an internal medicine physician. Dr. Carroll, in his progress note, reports that a CT scan was done on October 7, 2007 which shows a pelvic abscess 4.6 x 5.8 cm with a prominent air fluid level in the pelvis, but otherwise noted to "be doing well", and

WHEREAS, on October 11, 2007, Dr. Carroll discharged Mr. Rodriguez to his home from Hendry Regional Medical Center without operating or draining the pelvic abscess and with a continuing infection which required continued medical management, and

WHEREAS, on October 14, 2007, only three days after discharge, Mr. Rodriguez re-presented to the emergency room at Hendry Regional Medical Center with complaints of severe middle back pain, abdominal pain and a fever, and

WHEREAS, on October 14, 2007, Mr. Rodriguez was readmitted to Hendry Regional Medical Center, and

WHEREAS, on October 15, 2007, Dr. Barakoti transferred care to Dr. Charles who continued medical management and still did not recommend surgical intervention. On October 15, 2007, general surgeon Dr. Carroll performed a surgical consult, noting Mr. Rodriguez's complaints of lower back pain and fever. His assessment was ruptured diverticulum with small abscess formation in the pelvis. Dr. Carroll, along with Dr. Barakoti's plan of care was to follow Mr. Rodriguez (again, no recommendation for drainage of the abscess - nor workup for the new diagnosis of severe back pain), and

WHEREAS, on October 16, 2007, Dr. Charles noted Mr. Rodriguez was doing "extremely well" and ordered a repeat CT scan of the abdomen and pelvis and blood cultures obtained while in the Emergency Room on October 14th, were now found to be positive for Klebsiella Pneumoniae, and

WHEREAS, Dr. Charles failed to recommend draining of the abscess, and surgical repair of the ruptured diverticulum even with the overwhelming evidence for surgical intervention; or transfer Mr. Rodriguez to another hospital for drainage/surgical intervention, and

WHEREAS, on October 17, 2007, Dr. Charles ordered Mr. Rodriguez to be started on IV Rocephin (a broad-spectrum antibiotic) as well as Dilaudid every 4-6 hours PRN (for severe back pain) as well as an order for additional blood cultures x2, and

WHEREAS, on October 19, 2007, Mr. Rodriguez's blood culture drawn on October 15th again came back positive for Klebsiella Pneumoniae and, at this time, Mr. Rodriguez's white blood cell count was elevated at 16,400 with increased polys, and

WHEREAS, on October 20, 2007, Mr. Rodriguez started to complain of bilateral inner thigh pain, difficulty walking and incontinence, and

WHEREAS, even with Mr. Rodriguez's worsening neurological condition and the unavailability of an MRI machine, which would have revealed the presence of the early stages of an epidural abscess, Dr. Charles continued to treat Mr. Rodriguez medically when transfer to another hospital with availability of an MRI and surgical staff who would have surgically intervened was warranted, and

WHEREAS, Dr. Charles failed to perform any motor or sensory testing and despite suspecting spinal stenosis failed to recommend a STAT surgical intervention or transfer Mr. Rodriguez to a medical center with an orthopedic spine surgeon or neurosurgeon, and

WHEREAS, on October 21, 2007, Mr. Rodriguez developed neck and low back pain despite receiving narcotic pain medications and was suffering from loose and bloody bowel movements, and

WHEREAS, on October 21, 2007, Dr. Charles advised Mr. Rodriguez that he would need to be transferred to another facility but failed to do so, and

WHEREAS, on October 22, 2007, Dr. Charles dictated a discharge summary planning to discharge Mr. Rodriguez home with white cells at 19,000 and a temperature of 100.5 degrees, and

WHEREAS, again on October 22, 2007, Dr. Charles failed to transfer Mr. Rodriguez emergently to a medical center with a neurosurgeon or an orthopedic spine surgeon, and

WHEREAS, on October 22, 2007, Mr. Rodriguez was incapable of standing or walking, and Dr. Lopez-Cespedes, another HRMC employee hospitalist, was present when Mr. Rodriguez felt no sensation from the umbilical area down. He was unable to move his lower extremities. He had weak upper arm movements. Yet, Dr. Lopez-Cespedes did not immediately arrange for Mr. Rodriguez to be emergently transferred to another facility and

WHEREAS, on October 22, 2007, Dr. Lopez-Cespedes noted muscle strength weakness, sensory perception was decreased at level T9 - T10, positive blood culture and yeast in the blood, and

WHEREAS, on October 23, 2007, Mr. Rodriguez began complaining of tingling sensation in both hands, and

WHEREAS, on October 23, 2007, Dr. Lopez noted that Mr. Rodriguez was unable to move his legs and continued to have significant decreased sensation to the level T10-T11, and

WHEREAS, on October 23, 2007, an MRI of the lumbar spine was finally performed showing an epidural collection anteriorly to the thecal sac in the thoracic spine and lumbar spine, and

WHEREAS, on October 23, 2007, Mr. Rodriguez, who walked into Hendry Regional Medical Center on his own two legs, now a quadriplegic, was transferred and admitted to Jupiter Medical Center under the care of Dr. Katzman, an orthopedic surgeon, and

WHEREAS, on October 23, 2007, Mr. Rodriguez was diagnosed with an epidural abscess and an unoperated perforated sigmoid colon, and

WHEREAS, on October 25, 2007, Mr. Rodriguez underwent a decompressive laminectomy from C1-C6 with the evacuation of an epidural abscess, and

WHEREAS, on October 27, 2007, Mr. Rodriguez underwent an exploratory laparoscopic drainage of multiple abscesses, sigmoid resection and colectomy, and small bowel resection, and

WHEREAS, Mr. Rodriguez was discharged from Jupiter Medical Center on December 20, 2007, and

WHEREAS, as of today Mr. Rodriguez is a quadriplegic due to the failure of and delay of emergent treatment by Hendry Regional Medical Center and,