

## **XS Magazine, November 30, 1994**

**Views Street Wise**

**Villain of the Week**

**“Hospitals that make you sick”**

Items the North Broward Hospital District pay for:

A \$180,000 severance package for an executive who worked for the district just 2.5 years.

A \$313,000 yearly salary for its top administrator.

\$325,000 legal tab to battle Cynthia Mendat, the mother of a child who was brain damaged at Broward General Medical Center, one of the district's hospital.

An item the hospital district refuses to pay, but should:

The \$8.6 million that a jury in 1990 decided Mendat should receive because of the damage inflicted upon her son, Justin Bates, in 1985 when he was 16 months old.

The case of Justin Bates clearly shows there are many crimes that don't show up in police blotters. These types of crimes are often more reprehensible because the guilty parties, in this case hospital. District administrators, are arrogant bureaucrats who would rather protect their own kind then to do what is right.

Justin was taken to Broward General with an asthma attack in January 1985. He was hooked up to a breathing machine. Complications arose, but doctors didn't respond in time. The result was that Jason was deprived of blood and oxygen to his brain, leaving him damaged for life. Today, he can't talk or eat. He is fed through tubes. A machine shoots mist down his throat to moisten his insides.

In court lawyers for the hospital district admitted their client screwed up royally and, in May 1990, a jury awarded Jason's family \$8.6 million. The family also negotiated a \$2.4 million out-of-court settlement with some of the doctors involved.

But the hospital district has refused to pay. Not only that, but it also has placed a \$1.5 million lien against the \$2.4 million out-of-court settlement to pay for Jason's care.

Yes, you read that correctly. Jason, now 11, is still in the hospital and the family is being charged more than \$1,000 a day for his care. Total hospital bill to date: Nearly \$3.7 million.

“Imagine a mechanic who destroyed your engine and says, ‘I'll fix it, but you've got to pay for it,’” Sheldon Schlesinger, a lawyer for Jason's family, told the *Miami Herald*.

Jason's mother wants to take her child home. But since the hospital district refuses to pay the \$8.6 million, she can't afford the cost of home care for her son.

"I took him there for care," she said. "They kidnapped him, I'm having to go through a custody battle for my own child."