IN THE CIRCUIT COURT FOR THE FIFTEENTH JUDICIAL CIRCUIT
IN AND FOR PALM BEACH COUNTY, FLORIDA

CASE NO.:

ELZIE PETIT-BIEN PHANORD,
as Parent and Natural Guardian of
Z.P., a minor,

Plaintiff,

vs.

DELRAY MEDICAL CENTER, INC.,

Defendant.
_____/

COMPLAINT FOR DAMAGES
AND DEMAND FOR TRIAL BY JURY

COMES NOW the Plaintiff, ELZIE PETIT-BIEN PHANORD, as Parent and Natural Guardian of Z.P., a minor, by and through undersigned counsel, and files this Complaint for Damages and Demand for Trial by Jury against Defendant, DELRAY MEDICAL CENTER, INC., and alleges as follows:

JURISDICTION AND VENUE

1. This is an action for damages in excess of Fifty Thousand Dollars ($50,000.00), exclusive of interest and costs.

2. At all material times, the Plaintiff, ELZIE PETIT-BIEN PHANORD, as Parent and Natural Guardian of Z.P., a minor, was and is a resident of Palm Beach County, Florida.

3. At all material times, Defendant DELRAY MEDICAL CENTER, INC., was and is a Florida Profit Corporation that owned and operated a hospital in Palm Beach County, Florida.

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4. The acts and omissions giving rise to this action occurred at Delray Medical Center in Palm Beach County, Florida. Venue is therefore proper in this Court.

COMPLIANCE WITH CONDITIONS PRECEDENT AND CHAPTER 766, FLA. STAT.

5. All conditions precedent for bringing this medical malpractice action against each of the named Defendants pursuant to Chapter § 766, Fla. Stat., and all other governing law have been satisfied.

6. This action is properly brought within two years, plus any applicable tolling period, from when the medical negligence occurred, or within two years of the date the negligence could have been discovered with the exercise of due diligence.

7. The undersigned counsel for Plaintiff, ELZIE PETIT-BIEN PHANORD, as Parent and Natural Guardian of Z.P., a minor, in accordance with Fla. Stat. § 766.104, hereby certifies that he has made a reasonable investigation as permitted by the circumstances and that he has determined that there are grounds for a good faith belief that there has been negligence in the nursing treatment provided to Z.P., and that a valid action exists against the Defendant.

FACTUAL ALLEGATIONS

8. At all material times, Defendant, DELRAY MEDICAL CENTER, INC., owned and operated an acute care hospital known as “Delray Medical Center”, located at 5352 Linton Blvd., Delray Beach, Palm Beach County, Florida.

9. At all times material, Defendant, DELRAY MEDICAL CENTER, INC., hired and employed nurses to treat patients at Delray Medical Center.

10. On September 4, 2025, Z.P., an 11-year-old girl, was admitted to Delray Medical Center following a motor vehicle accident. During her ensuing 22-day hospitalization,

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she underwent surgical treatment and was substantially immobilized, including placement of a long-leg cast and non-weight-bearing restrictions.

11. At all times material hereto, the nurses who treated Z.P. during the subject hospitalization at Delray Medical Center were employees and agents of Defendant, DELRAY MEDICAL CENTER, INC., and were working in the course and scope of their employment and agency therewith.

12. Upon her admission to Delray Medical Center, the skin over Z.P.'s sacrum, buttocks, and gluteal regions was intact. She did not have pressure ulcers, bed sores, or skin breakdown in those areas.

13. Due to a myriad of factors, including but not limited to Z.P.’s status as an immobilized trauma patient, the nurse employees of Defendant, DELRAY MEDICAL CENTER, INC., knew or should have known that she was at elevated risk of developing pressure ulcers and other skin breakdown and that she required diligent preventive nursing care.

14. The nurse employees of Defendant, DELRAY MEDICAL CENTER, INC., were duty-bound to implement and utilize appropriate preventive measures, regularly assess and monitor Z.P.'s skin, promptly recognize and treat any breakdown, and timely escalate wound care to prevent deterioration.

15. While hospitalized at Delray Medical Center, Z.P. developed multiple severe and preventable pressure ulcers and bed sores involving her sacrum, buttocks, and gluteal regions. These wounds developed, proliferated and progressed under DELRAY MEDICAL CENTER, INC.’s, care into full-thickness, Stage III or worse pressure injuries and subsequently an unstageable pressure ulcer, causing significant and permanent

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injury, scarring, and disfigurement.

16. The development of these preventable, hospital-acquired Stage III or worse pressure injuries constituted a “never event” caused by the negligence of DMC’s nurse employees.

COUNT I - NURSING NEGLIGENCE AGAINST DEFENDANT DELRAY MEDICAL CENTER, INC.

17. Plaintiff re-adopts and re-alleges paragraphs 1 through 16 as if fully set forth herein.

18. At all times material, Defendant, DELRAY MEDICAL CENTER, INC.’s, nurse employees owed Z.P. a duty to provide nursing care, pressure-injury prevention, skin assessment and monitoring, and wound care in accordance with the prevailing professional standard of care.

19. During Z.P.'s hospitalization at Delray Medical Center, the nurse employees of Defendant, DELRAY MEDICAL CENTER, INC., while acting within the course and scope of their employment, breached the prevailing professional standard of care by carelessly and negligently:

a. failing to recognize and adequately respond to Z.P.'s significant risk of developing pressure ulcers and skin breakdown;
b. failing to implement and maintain an adequate and effective turning and repositioning schedule;
c. failing to provide appropriate pressure-relieving surfaces, offloading, and other measures to protect vulnerable skin;
d. failing to timely and properly assess, monitor, and document Z.P.'s skin condition and developing wounds;
e. failing to promptly identify the onset of pressure injuries and intervene

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before they worsened;

f. failing to timely provide appropriate wound treatment and to modify and intensify treatment as the wounds deteriorated;

g. failing to timely notify and consult with supervising physicians, wound-care specialists, and other appropriate providers concerning the development and worsening of the wounds;

h. failing to ensure continued and effective wound-care evaluation, monitoring, and follow-up;

i. failing to follow appropriate nursing orders, pressure-injury-prevention measures, and wound-care protocols;

j. allowing preventable pressure ulcers and bed sores to develop and progress to severe, full-thickness, Stage III or worse and unstageable wounds while Z.P. was hospitalized; and

k. otherwise failing to provide nursing care consistent with the prevailing professional standard of care under the same or similar circumstances.

20. As a direct and proximate result of the negligence of DMC, by and through its nurses and other employees and agents, Z.P. sustained severe and permanent bodily injuries, permanent aggravation and worsening of a pre-existing condition(s), permanent and significant scarring and disfigurement, physical impairment, pain and suffering, mental anguish, inconvenience, loss of capacity for the enjoyment of life, and expenses for medical, nursing, attendant care, wound-care, rehabilitative, and other medical and nursing treatment. Z.P.'s injuries and damages are permanent and continuing in nature, and she will suffer all of these damages in the future.

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WHEREFORE, Plaintiff, ELZIE PETIT-BIEN PHANORD, as Parent and Natural Guardian of Z.P., a minor, demands judgment against Defendant, DELRAY MEDICAL CENTER, INC., for damages in an amount to be determined at trial in this matter, interest, costs and any other or further relief that this Court deems just and proper. Plaintiff further demands a trial by jury on all issues triable as a matter of right.

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Dated this 24th day of November, 2026.

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