

**17-14827**

JUDGE:

04

**COMES NOW** the Broward County State Attorney, by and through undersigned counsel, pursuant to In re: Matter of Patricia Dubreuil, 629 So. 2d 819 (Fla. 1993), and petitions this Court for entry of an Order authorizing Joe DiMaggio Children's Hospital, by and through its treating physician, Eric Abraham Eisner, M.D., to consent to blood transfusions for C [REDACTED] C [REDACTED]. As grounds for this petition, the State would allege as follows:

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3. Without the necessary blood transfusions, the provision of blood products, the condition of the Child will result in stroke, myocardial infarction, or sudden death. There are no other medical alternatives to prevent death or severe morbidity.

4. The administration of blood products is necessary to maximize the chances of saving the life of the Child within a reasonable degree of medical certainty.

5. The parents of the Child, Kelli and Todd Chamberlin, were notified of the critical nature of the condition of the child, and are refusing the administration of blood products to their child based on their religious beliefs

6. Under the circumstances presented The State's interest in protecting the life of Clark Chamberlin is paramount to the convictions of the parents, and this Court should order the necessary transfusions. See, M.N. v. Southern Baptist Hospital, et. al., 648 So.2d 769 (Fla. 1<sup>st</sup> DCA 1994).

**WHEREFORE**, the Broward County State Attorney petitions this Court to enter an Order authorizing and directing the blood transfusions recommended for Clark Chamberlin and further authorizing and directing Dr. Eric Abraham Eisner, M.D., or other physicians from Joe DiMaggio Children's Hospital, as treating physicians to perform the blood transfusions based on the emergency circumstances presented in this petition, and to execute all forms necessary to carry out the transfusions.

**I HEREBY CERTIFY**, that a true and correct copy of the foregoing Petition was furnished to Kim and Todd Chamberlin, c/o Joe DiMaggio Children's Hospital, this 15<sup>th</sup> day of May, 2017.

Respectfully submitted,

MICHAEL J. SATZ  
State Attorney

By: 

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**AFFIDAVIT OF ERIC ABRAHAM EISNER, M.D.**

PERSONALLY came and appeared before me, the undersigned Notary, the within named ERIC ABRAHAM EISNER, M.D. who makes his statement and Affidavit upon oath and affirmation of belief and personal knowledge that the following matters, facts and things set forth are true and correct to the best of his knowledge:

My name is ERIC ABRAHAM EISNER, M.D. I am a Pediatric Orthopedic Surgeon at Joe DiMaggio Children's Hospital and am currently the attending physician to C [REDACTED] C [REDACTED] Date of Birth [REDACTED] 2008, who is currently a patient on the 4 South pediatric unit at Joe DiMaggio Children's Hospital in Hollywood, Florida.

1. C [REDACTED] C [REDACTED] is an [REDACTED] male with cerebral palsy and right hip dysplasia who underwent a right hip femoral and pelvic osteotomy 2 days ago. His hemoglobin and hematocrit have subsequently trended down to a current level of 3.9/11.8 and he has become tachycardic.
2. The parents of C [REDACTED] C [REDACTED] have refused blood transfusions for their child on the basis of their religious beliefs.
3. At last check at 6:24 AM on this date, C [REDACTED] hematocrit level was 11.8. He is tachycardic and lethargic and has significant palor. I have spoken to the pediatric intensivist and it is our opinion that C [REDACTED] C [REDACTED] requires an emergency blood transfusion, and that without the provision of blood products to C [REDACTED] C [REDACTED] it will result in stroke, myocardial infarction, or sudden death.
4. There are no other medical alternatives to prevent death.
5. The parents and natural guardians of C [REDACTED] C [REDACTED] <sup>Kelli and Todd Chamberlin</sup> (insert names here), have been notified of the critical nature of their son's condition and <sup>Eisner</sup> are refusing the administration of blood products to their son.

BY: Eisner

Signature of Affiant

The foregoing instrument was acknowledged before me on this 9<sup>th</sup> the \_\_\_\_\_ day of August, 2017, by ERIC ABRAHAM EISNER, MD who is personally known to me.

Odelpand

Notary Public, State of Florida at Large

STATE OF FLORIDA  
COUNTY OF BROWARD



Diana Gelfand  
Commission # GG041226  
Expires: October 24, 2020  
Bonded thru Aaron Notary

My Commission Expires: 10/24/2020