

Parents file \$1 million suit vs. state

The parents of Donna Albanese have served notice on the state that they intend to seek \$1 million in damages for an injury she suffered while a resident at Willowbrook State School.

Mr. and Mrs. Alexander Albanese of 15 East Augusta Ave., Great Kills, parents of the 7-year-old girls, have filed the claim notice with the State Court of Claims through their attorney, Peter J. Napolitano.

The notice charges the state with negligence and medical malpractice in connection with a broken leg which their daughter suffered last Dec. 21 in Building 26 at the school.

The injury went undetected for four hours. The girl, a resident at the school for all but one year of her young life, cannot speak or move her body. She is kept in diapers.

The injury was discovered only when extensive swelling took place.

In a report of the incident published in the Advance last December, school authorities said an attendant, William Nelson, stepped on the girl's left leg while trying to manipulate a food cart. The girl was on a mattress on the floor at the time in connection with a training program.

A nurse examined Donna, and found nothing wrong. Some time later the swelling was observed by a nurse who summoned a doctor, and X-rays ordered. It was on then that fracture was detected. An orthopedic consultant placed her leg in a cast.

Four days after the incident, "called an unfortunate mishap,

an accident" by the hospital, Donna was transferred to the U.S. Public Health Service Hospital in Clifton where it was learned there were complications.

The break had separated and doctors placed the girl in a body cast.

The claim notice charged that the school "recklessly, wantonly, willfully, carelessly and negligently" caused the injury.

In regard to the malpractice allegation, the notice charged that the medical treatment to Donna was performed in "so

negligent and unskilled a manner in an attempt to reduce the fracture and otherwise treat the patient and set the broken bones that the leg was cast and placed in an improper position" that caused it to become "diseased, inflamed and drawn out of shape and it healed in an improper manner . . ."

The notice said Donna's parents may be required to spend "large sums" to cure the child as a result of the alleged negligence and malpractice.

The child is the oldest of Mr. and Mrs. Albanese's four

children. They claim that the fractured leg is the latest in a series of injuries which has befallen Donna at the school.