

# Retarded patient gets \$1.7M for blindness

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New York State has been ordered to pay \$1.7 million to a former resident of the Willowbrook center for the mentally retarded on Staten Island who lost his eyesight when he was 10 years old because a doctor at the state-run facility failed to treat an eye infection.

Court of Claims Judge Gerald Weisberg found that "ordinary and reasonable medical care was not used in the treatment" of Steven Masgai, now 25, and that

a "degenerative but treatable condition was allowed to run its course."

Trial testimony revealed that the doctor, M. Allen Greenwood, the staff ophthalmologist, had discovered in early 1968 a "posterior polar cataract" in Masgai's right eye and other problems in the left but failed to recommend any treatment or medication that could have prevented the blindness.

Greenwood did not examine Masgai for 10 months after the initial examination, according to testimony.

This 10-month period represented "the most glaring departure from reasonable professional stand-

ards" and "constituted an act of medical malpractice which directly resulted in blindness," the decision said.

Weisberg awarded Masgai \$500,000 for impairment of earning ability and \$1.25 million for pain, suffering and personal injuries.

At the same time, the judge dismissed Masgai's claims against the state for "improper and unauthorized confinement" in state institutions for 14 years, and for assault and sexual abuse at Willowbrook, which is now known as the Staten Island Developmental Center.