

## Judge Lets Suffolk Man Cop a Conditional Plea

Riverhead—A West Islip man charged with drunk driving and manslaughter in the death of a 16-year-old girl was allowed to plead guilty to a lesser charge in County Court here yesterday. A judge then agreed to permit him to withdraw the plea if the county probation department recommends a prison sentence.

Roman Rivera, 33, of 7 Toomey Rd., was accused of driving a car that ran down two girls April 17, 1974, as they were crossing Mon'auk Highway in West Babylon. One of the girls, Donna Kulmatyosk of 348 15 St. West Babylon, was pronounced dead at the scene. The other girl, Laura Braun, 17, of 50 Bacon Lane, Lindenhurst, was treated for multiple injuries at Good Samaritan Hospital.

Rivera surrendered to homicide detectives June 17, after a Suffolk County grand jury handed up a manslaughter indictment against him. He also was charged with criminally negligent homicide, driving while intoxicated, speeding and passing a red light.

In court yesterday, Rivera, who has been free on \$500 bail, pleaded guilty only to the criminally negligent homicide charge after admitting that his car hit the two girls. "I had a couple of drinks . . . of liquor," Rivera told Judge John J. Jones.

Jones scheduled sentencing for May 9. But he also assured Rivera's lawyer, Kenneth Rohl of Babylon, that if the probation department urges him to jail Rivera, he will allow Rivera to withdraw the guilty plea and go stand on trial for the more serious manslaughter charge.

A source in the Suffolk district attorney's office explained that prosecutors went along with Rivera's plea to lesser charges because eyewitness accounts of the accident conflicted, and thus weakened the case against Rivera. Although the criminally negligent homicide charge could bring Rivera up to four years in prison, first offenders often are granted probation.

## Man Collapses in Court

Mineola—A defendant on trial for conspiracy and attempted theft was hospitalized yesterday after collapsing during jury selection in County Court.

Robert P. Verrastro, 29, of Queens Village, who weighs more than 300 pounds and has had earlier heart attacks, was admitted to the coronary unit of Nassau Hospital after oxygen was administered by defense lawyer John Sutter. He was helped from the court room by six men.

A hospital emergency room spokesman said Verrastro appeared to be in satisfactory condition and apparently was not suffering pain when admitted. Judge Henderson W. Morrison adjourned the trial until Monday. Verrastro and six others are charged with second-degree conspiracy and attempted first-degree grand larceny for allegedly demanding \$1,500 from Anthony Morano, a partner in the MBE Auto Leasing Co., West Hempstead, in January, 1974. Morano and Michael Franzese of Roslyn, stepson of imprisoned crime figure John (Sonny) Franzese, were partners in the business, police said. Young Franzese, a college student, is one of the seven defendants. The indictment alleges that they threatened Morano with maiming or death, which the seven have denied.

Another defendant is Jerome Zimmerman of East Meadow, a key figure in an attempt to obtain judicial review of the elder Franzese's 1967 conviction of conspiracy to bank robbery. Zimmerman had said in November, 1973, that a federal agent tried to induce him to give perjured testimony in another case in return for evidence casting doubt on Franzese's guilt. Franzese is serving a 50-year sentence.

## L. Beach Drug Arrests

Mineola—Three men and a woman from Long Beach, accused of running a heroin ring that supplied the Long Beach black and Spanish communities, were arraigned on drug charges in Nassau County Court yesterday.

The four were arrested Wednesday by Long Beach police, after an investigation touched off by neighbors' complaints of unusually heavy traffic to and from an apartment where the woman and one of the men lived. According to Lt. James Fiore, Long Beach deputy commander of detectives, both Long Beach and Nassau undercover agents had made buys of heroin at the apartment at 315 W. Broadway occupied by Lourdes Rivera and Luis Perez.

Ms. Rivera, 19, and Perez, 25, were arrested at their apartment, along with Alberto Pinada, 25, of 163 W. Penn St. Police said two \$25 bags of heroin were found in the apartment when the arrests were made. The three were charged with possession and sale of heroin. The third man, George Delgado, 31, of 161 East Hudson St., was arrested at a social club at 500 Park Pl. Delgado was charged with sale of drugs.

All four were held without bail pending court appearance.

# Health Care Crisis

## AN OPEN LETTER REGARDING MALPRACTICE

My dear patient:

You have, I am sure, read of the enormous increase we are expected to pay for malpractice insurance over and above an already exorbitant rate. This may reach as high as \$45,000.00 per physician per year.

These numbers are translated into a per visit cost to you of between \$2.50 for the doctor who pays the lowest rate, and a cost of over \$45.00 to the surgical specialist, such as the orthopedist and neurosurgeon. It is quite obvious that these figures represent an inordinate expense. Above and beyond this, the current cost of \$4.00 per day per patient for hospital insurance may rise to as high as \$12.00.

Where does this money go? Although the insurance companies have not allowed the State Insurance Commission to review their books, a recent study before the Health, Education and Welfare Commission on malpractice revealed the following breakdown of malpractice dollars:

- 6% to the claims adjustor
- 25% to insurance company overhead
- 40% to defense attorney fees
- 29% to the plaintiff, from which the plaintiff's attorney is paid.

Because of this, out of every dollar of insurance premiums that are paid, only approximately 16¢ winds up in the pocket of an injured party. Perhaps even more important is that the anticipated rise in malpractice costs will encourage some physicians to retire early, and it will discourage young physicians from opening offices in this area, especially since malpractice insurance is much less expensive in our neighboring states.

In the litigation oriented society in which we find ourselves at the present time, it is impossible to practice medicine without insurance protection. The New York State government has been aware of this problem for the past several years. It has come to a head in the past five months and still no laws have been passed to control this situation. If we are unable to obtain reasonable malpractice protection when our current policy expires at the end of June, we will have no alternative other than to stop practicing until we can obtain reasonable protection.

Michael Abbene, M.D.  
 Harry H. Abrahams, M.D.  
 Kwabena A. Addel, M.D.  
 Erol F. Aksoy, M.D.  
 Eugene M. Aronow, M.D.  
 Joseph M. Bennett, M.D.  
 Arthur M. Bernhang, M.D.  
 Renato B. Berroya, M.D.  
 William H. Bikoff, M.D.  
 Robert K. Boese, M.D.  
 Marvin Boris, M.D.  
 Francis J. Breen, M.D.  
 Sheldon J. Brodie, M.D.  
 Calvin O. Browne, M.D.  
 Russell S. Burdge, M.D.  
 Stephen E. Carney, D.D.S.  
 Thomas C. Catalano, M.D.  
 Dev R. Chitkara, M.D.  
 Howard Citrin, M.D.  
 Elliott S. Cohen, M.D.  
 Paul R. Colletti, M.D.  
 Elizabeth Coryllos, M.D.  
 Roy S. Crampton, M.D.  
 Fred C. Dalton, M.D.  
 Sidney Davidson, M.D.  
 Jack S. Deitch, M.D.  
 Alfred M. Darrow, M.D.  
 Stuart I. Dubner, M.D.  
 Nurettin Eber, M.D.  
 Stanley Feingold, M.D.  
 Ronald Feldman, M.D.  
 Maurice Gunsberger, M.D.  
 Kanwal Gupta, M.D.

William A. Healy, Jr. M.D.  
 Joseph F. Hindman, M.D.  
 Charles Hoffman, M.D.  
 Paul R. Joseph, M.D.  
 Herbert G. Kantor, M.D.  
 Joel Karen, M.D.  
 Arnold M. Karp, M.D.  
 William S. Kasper, M.D.  
 Edward Keefer, M.D.  
 Kenneth J. Kerwin, M.D.  
 Julian G. Kirchick, M.D.  
 Paul Kolker, M.D.  
 John D. Krafchuk, M.D.  
 Leo Krauss, M.D.  
 James Lash, M.D.  
 Marvin I. Lepaw, M.D.  
 Harold Levine, M.D.  
 Jerome S. Leviton, M.D.  
 Ralph J. Levy, D.O.  
 Jimmy U. Lim, M.D.  
 Kurt Link, M.D.  
 Joseph J. Lo Presti, M.D.  
 Eriberto Lozada, M.D.  
 George H. Manos, M.D.  
 Morgan Mansfield, M.D.  
 Milton L. Masur, M.D.  
 Jack W. Mac Elwain, M.D.  
 Samuel I. Merzling, M.D.  
 Frank Miller, M.D.  
 Gerald Mondschein, M.D.  
 Jeremiah Moynihan, M.D.  
 Radhakrishnan Murthy, M.D.  
 Jerome D. Nataro, M.D.

Morton Netupsky, D.M.D.  
 Paul Odebrecht, M.D.  
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 Anantanarayan Padmanabhan, M.D.  
 Ralph F. Parisi, M.D.  
 Harold A. Pike, M.D.  
 Charles A. Pitman, M.D.  
 Mark I. Pitman, M.D.  
 Ellis D. Rand, M.D.  
 John H. Ray, M.D.  
 Stella M. Reyes, M.D.  
 Norman Rochman, M.D.  
 Lawrence Ruchman, M.D.  
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 Antonio J. Sancerca, M.D.  
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 Bertram Schwartz, M.D.  
 Peter Schwartz, M.D.  
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 Richard D. Sweeney, M.D.  
 Gilbert H. Taylor, M.D.  
 Harold Wagner, M.D.  
 William Walker, M.D.  
 Juan Wilson, M.D.  
 Martin Winick, M.D.  
 Edward J. Wright, M.D.  
 Howard E. Wulff, M.D.  
 Norman B. Yourish, M.D.  
 Nadim Ziika, M.D.

### Legal Notice

SUPREME COURT  
 NASSAU COUNTY  
 In the Matter of the County of Nassau Acquiring Real Property for Public Purposes on Second (Fairview Avenue) Avenue 256.50 feet East of Prospect (No. Washington Street) Street in Connection with Baxters Brook, Inc., Village of Baxter Estates, Town of North Hempstead, Nassau County, New York, duly selected by the Board of Supervisors of the County of Nassau for use of said County according to law.  
 INDEX # 13310/1974  
 NOTICE IS HEREBY GIVEN that it is my intention to apply to the Supreme Court, Nassau County, at a Special Term for condemnation proceedings at the Nassau County Supreme

### Legal Notice

Court Building, Mineola, New York, on the 5th day of May, 1975, at 9:30 A.M. for an order to condemn real property to be acquired on a map entitled "Map Showing Real Property to be Acquired for Public Purposes on Second (Fairview Avenue) Avenue 256.50 feet East of Prospect (No. Washington Street) Street in Connection with Baxters Brook Inc. Village of Baxter Estates Town of North Hempstead" dated August 1974.  
 The compensation to be made to the persons interested will be determined by the court without a jury.  
 The map was prepared by order of the Board of Supervisors of Nassau County, approved by the Commissioner of Public Works and adopted by resolution of the Board of Supervisors on March 17, 1975. It was filed in the

### Legal Notice

Nassau County Clerk's office on March 19, 1975.  
 The proceeding affects the parcels on the map designated as follows:  
 Parcel  
 No. Name  
 1 Frederick Baldassano & Roberta Baldassano  
 2 Incorporated Village of Baxter Estates  
 Title in the above proceeding shall vest upon the entry of the order granting the application to condemn.  
 Dated: Mineola, N.Y.  
 March 26, 1975  
 JOHN F. O'SHAUGHNESSY,  
 COUNTY ATTORNEY OF  
 NASSAU COUNTY  
 OFFICE & P.O. ADDRESS  
 EXECUTIVE BLDG.  
 MINEOLA, N.Y.