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Photo by Christopher P. Collins

Danny Bennett, 13, playing on a swing upstate, is formerly of Brentwood

# \$10 Million Damage Award

## Family: MD misdiagnosed boy's condition

By Letta Tayler  
STAFF WRITER

At 18 months, Danny Bennett's head was as large as that of a child twice his age, and he couldn't sit up. The family doctor responded by prescribing physical therapy.

Danny is now 13, but he still wears diapers and speaks only four words: mama, dada, bus and ball. He uses hand signs when he needs to be changed or fed and requires constant supervision.

On June 12, a Suffolk County jury found that the pediatrician, Paul Mandala of West Islip, failed to diagnose Danny's condition as hydrocephalus, an excessive buildup of fluid in the brain that can cause permanent brain damage if not treated early. The jurors ordered Mandala to pay Danny's family \$10 million, one of the largest damage awards in Suffolk history.

"There is no award that can compensate for what happened to Danny," said his mother, Lori Bennett, in an interview Friday from upstate Hudson Falls. The family lived in Brentwood until 1987.

"He's never going to enjoy life like a normal child would," Bennett said. "I hope this educates parents to know that when you take your child to a doctor, if you feel there is something wrong, just continue to ask questions, no matter what the doctors say or call you."

Mandala is still practicing in West Islip and has not been charged with any professional misconduct by the state Health Department. He and his lawyers did not return repeated calls over several days.

~~Danny was just 7 months old when his head began~~

growing much faster than normal. At that time, he also developed neurological problems that rendered him unable to even sit up, said his parents' attorney, Gil Spencer. During frequent checkups, Mandala's nurse took routine measurements of the infant's head, Spencer and Bennett said. But Mandala never checked his head size on a circumference chart routinely used by doctors, they said.

Spencer's office later checked Danny's measurements against the circumference chart and found that when the infant was 7 months old, his head was an average size. But by the time he was 13 months, his head was too large to be measured on the chart — even though the chart is designed to measure the heads of infants up to 36 months old.

Mandala first sent Danny to a physical therapy center and eventually told Lori Bennett and her husband, Bill, that the infant probably was mentally retarded and had cerebral palsy, Spencer and Lori Bennett said. When the parents brought Danny to Southside Hospital for severe vomiting — another sign of hydrocephalus — at age 3½, Mandala told them the boy probably had a virus and to take him home, Lori Bennett said.

She disregarded the advice and the next morning took Danny to North Shore University Hospital, where he was diagnosed as having hydrocephalus. North Shore doctors tried to drain the excess fluid off Danny's brain using shunts, the normal procedure in such cases, but they were too late; he already was severely brain damaged.

NEWSDAY, THURSDAY, JUNE 25, 1992

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