

### BLAZE OF FURY; RETIREMENT NIXED FOR DISABLED FIREMAN

By Heather Gilmore

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A Bronx fireman whose legs were scorched to the bone has been ordered back to work by a city medical board – even though the FDNY and prominent doctors believe he’s permanently disabled and could be a risk to fellow firefighters.

Firefighter Bill Russell, 39, was battling a blaze in a Bronx tenement on New Year’s Day 2000 when both of his legs were severely burned from the top of the knee to the shin.

Medical reports from four doctors who examined him afterward said his skin-grafted knees make it nearly impossible for him to crawl through burning buildings. Russell’s skin can break down merely from contact with his protective fire gear.

“Mr. Russell is not able to perform his job reliably, which in turn would be a danger not only to himself, but also to his co-workers,” wrote Dr. Harvey Himel, director of Cornell University’s Hyperbaric Medicine & Wound Center. His and the other doctors’ reports were given to the board and FDNY.

But the board, which operates independently within the department, has twice refused to sign off on allowing the retirement of the married father of two from Huntington, L.I.

City law allows a firefighter permanently hurt in the line of duty to retire, pending approval by the board. Once retired, the firefighter would be able to collect a pension of at least three-quarters of his salary.

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The medical board said its decision regarding Russell was based on its own independent medical exams performed by a plastic surgeon – whose expertise includes breast implants and liposuction – and an orthopedic doctor.

“It’s a travesty, a disgrace, what’s been done to Bill,” blasted Lt. James Hartnett, Russell’s commanding officer at Ladder 19.

Russell, who declined to comment for this story, plans to file a federal lawsuit against the city before the end of the year seeking \$4,000 a month for life – the disability pension that the board has denied him.

“Bill would give everything to be able to fight fires again, but his injuries are real,” said his lawyer, Jeffrey Goldberg.

The board’s doctors “are not qualified to make such a life-changing decision,” Goldberg said. “They are not burn experts, and they have no experience with firefighters’ injuries.”

In the four examinations backing up Russell, specialists including Himel and Roger Yurt, another renowned doctor who treats the majority of the Fire Department’s burn cases, contend Russell is no longer fit for active duty.

But the medical board made its ruling after its newly appointed outside expert, plastic surgeon Dr. Gerald Ginsberg, declared Mr. Russell fit for “full duty” after two examinations.

When Ginsberg learned that the burn experts disagreed with him, he himself even asked the board to get a second opinion.

The board did – from orthopedic consultant Dr. Basil Dalavagas. And it again denied Russell’s disability claim.

Both a medical board spokeswoman and Ginsberg refused to comment on the case.

An FDNY spokesperson only told The Post: “It’s very rare for a case similar to this not to be resolved one way or the other, and to have such divergent medical opinions.”

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Meanwhile, Russell, a firefighter for five years with a spotless record, is on light duty but has tried to return to the front line with his co-workers since being hurt.

## **BATTLE OF WOUNDED KNEES**

STATEN ISLAND UNIVERSITY HOSPITAL: It is my recommendation that duties involving exposure to heat, crawling and wearing restrictive garments ... should be avoided. Dr. J. Finkelstein

NEW YORK PRESBYTERIAN HOSPITAL AT CORNELL UNIVERSITY: It is my medical recommendation that he should not return to work as a firefighter. Roger W. Yurt, M.D.

NEW YORK PRESBYTERIAN HOSPITAL AT CORNELL UNIVERSITY: Due to the inability of his knees to take the abuse of being a firefighter, [he] is not able to perform his job reliably. Harvey Himel, M.D.

JACOBI MEDICAL CENTER: It would be unwise for Mr. Russell to resume his duties as a firefighter. Bruce Greenstein, M.D.

NYU MEDICAL CENTER: I think the patient's knees are ready to return to full duty. I do not think his mind or spirit are ready to return to full duty. GERALD D. GINSBERG, M.D.

