

NEW YORK STATE BAR ASSOCIATION

Do you need to hire a lawyer?



- HOME
- NEWS
- WEATHER
- SCHOOL CLOSINGS / DELAYS
- VIDEOS
- SPORTS
- LINKS
- NEWS10
- LIFESTYLE

MEMBER CENTER | [Create Account](#) | [Log In](#)

SITE SEARCH WEB SEARCH BY

Coffee Bean "Melts" Fat..
Participants Using Green Coffee Bean Lost An Avg Of 17Lbs, See How...
[Natural Green Coffee Beans](#)

Share | | Print Text Size

New accusations of neglect at local nursing home

[Like](#) | [Sign Up](#) to see what your friends like.

By MARK O'BRIEN

NISKAYUNA, N.Y. -- Four months after their mother's death, the daughters of Mary Ann Papielion say there is no doubt in their minds that Northwoods Rehabilitation and Extended Care Facility in Troy is responsible.

"In my opinion, they murdered my mother," said daughter Darleen Caswell. "She was only in there to be rehabilitated, we never expected her to die."

Papielion was first taken to Northwoods last May. Her daughters said immediately their mother began telling them that her call light to get a nurse's help was being ignored. The family also said Papielion was left in wet bed sheets, developed bedsores, was given the wrong medication and got a urinary tract infection that went all the way to her kidneys.

"I said don't hurt my mother when you do this," Caswell said of tests her mom needed to have performed to treat her UTI. "They said, 'Well, we've never hurt your mother.' And I said that's not the story I'm gathering from my mom."

Papielion died on Aug. 22 from severe septic shock and renal failure, and within three days, her daughters filed complaints with the health department about their mother's care. Since then, they have filed a seven-page report with the health department documenting what they call patient neglect and abuse by Northwoods, and they have also contacted the Attorney General's office about a possible investigation.

It is a similar story for Karl and Leo Herbst. Their father, Albany Firefighter Joseph Gruber, was sent to Northwoods in November 2008 for rehabilitation following treatment of arthritis in his neck. His sons said within a week, he blamed the family for putting him there.

"I was his health care proxy, and I had to decide to let him go," Leo Herbst said.

In January of this year, Gruber was transferred from Northwoods to a hospital for septic shock. The sons said that was when the hospital doctors notified them of untreated bed sores on their father, as well as a urinary tract infection. He died two days later.

"You don't treat human beings like that," Karl Herbst said of his father's time at Northwoods. "My father laid in there. He probably laid in feces for who knows how long, sheets covered up. That's all (the nurses and aides) do—they walk around or they're standing at their desk."

Both families came forward with their stories on Thursday, along with their lawyer Sean Doolan on behalf of the law offices of Martin, Harding & Mazzotti. The families said they are encouraged by the ongoing criminal investigation through Attorney General Andrew Cuomo's office. It used undercover video from a patient's room at Northwoods as evidence against nurses and aides accused of neglecting an unidentified resident who had multiple sclerosis and was unable to move. Investigators said the video covered a six-week period in 2009, during which the staff routinely failed to turn or change the woman or treat her bedsores. Investigators said the staff then falsified records to show that they had done the work. In all 14 nurses and aides were arrested, charged and taken to court on Wednesday.

The families said they recognized some of the nurses and aides who were arrested, but they stopped short of saying any of them were specifically involved in the cases of their loved ones. Both families said they complained to management about the care their parents received, and Papielion's daughters said they were in the process of filing paperwork to have her moved.

"I watched this man who did everything for me, and the last I'd seen him, he looked like a skeleton," Leo Herbst said, breaking down in tears. "For the people at Northwoods, I hope you can sleep knowing what you did."

The Herbst brothers said days after their father's death, Northwoods called them to request that they reserve their father's bed at the facility or it could be given to another patient. Leo Herbst said when he asked if they had known about their father's death, the person on the other end was silent, then mentioned an outstanding debt of \$120,000 for services rendered. He was served with a notice by a debt collection agency three weeks ago.

When News 10 contacted Northwoods for comment on these newest allegations Thursday night, we were told only Administrator Tony Marmo or Nursing Director Marilyn Babcock could address the media, but neither person was

**NORTHWOODS:
WHAT'S NEXT?**

[MORE>>](#)

**Northwoods rehab facilities
face bankruptcy hearing**
Updated: Apr 09, 2010 7:52 PM EDT

**New accusations of neglect
at local nursing home**

**Troy nursing home
workers accused of
neglecting patients**
Updated: Mar 31, 2010 9:41 PM EDT

Peter Harris Clothes

EVERYDAY LOW PRICES! • Famous Brands • Lowest Prices • Latest Fashions

Delmar • East Greenbush
Latham • Queensbury • Scotia

www.peterharrisclotthes.com

CELEBRITY FEATURES



- Lohan on Bynes' legal woes
- Sally Struthers arrested
- Levi Johnston a father again
- Michelle Kwan is engaged
- Nick Lachey welcomes son

Banks Forced to Forgive Credit Card Debt

Find Out How Much of Your Debt Can Be Settled!
www.LowerMyBills.com/Debt

Auto Insurance Rates

Compare Auto Insurance Costs Online. Get 4 Free Quotes in 30 Seconds.
www.insurecenter.com

[Get Listed](#)

LOCAL NEWS

[MORE>>](#)

Overnight fire at Cohoes manufacturing plant still burning

Updated: Sep 20, 2012 3:50 PM EDT

Route 32 and I-787 from Ontario Street to New Cortland Street will remain closed until Friday at 5:00 a.m. as responders continue to put out the fire at Shelter Enterprises and demolition takes place.
[More >>](#)

UAlbany, Cuomo present NYSUNY 2020 plan

The University at Albany advanced a proposal with Governor Andrew Cuomo Thursday to build a state-of-the-art research and development facility for emerging technologies and entrepreneurial leadership as part of the governor's NYSUNY 2020 plan.
[More >>](#)

available after hours. Instead, a supervising nurse requested News 10 call back Friday morning, between the hours of 8 a.m. and 4 p.m.

Marmo, however, did tell News 10's Anya Tucker on Wednesday, "...We feel we are on a good path now," citing new management. He said they have fully complied with Cuomo's investigation, and that the nurses and aides who were arrested have either been suspended or no longer work at the facility.

Banks Forced to Forgive Credit Card Debt
Find Out How Much of Your Debt Can Be Settled!
www.LowerMyBills.com/Debt

Get Listed

Comments

[Sign In](#) or [Sign Up](#) for an account.

What do you think?

Be the first to comment



Advertisement



The secret of how to learn a foreign language in just 10 days. Read here to find out...



Homeowners in New York may be eligible for 2.125%(2.32% APR) refinance rate for most credit types.



1 simple trick to beat the recession and make a fortune...



1-Week Fantasy Football Over \$1,000,000 in Cash Prizes 100% Free to Play! Play every week.



Catskill - New Policy allows New York residents to get car insurance for as low as \$9!



Catskill - A new rule you better follow if you pay for car insurance in New York...

Malta Emergent Care center expected to open in spring 2013

Saratoga Hospital and Albany Medical Center marked a construction milestone Thursday during a "topping off" ceremony to celebrate placement of the final beam at Malta Med Emergent Care.
[More >>](#)

Fire breaks out at 6th Ave. home in Troy

A two-alarm fire broke out in the City of Troy at 553 6th Avenue, between 114th Street and 115th Street, Thursday morning.
[More >>](#)

Two pharmacy robberies in Albany within two days

Police say the suspect is believed to be 25 years old, 5' 6" to 5'9", between 140-160 pounds and wearing a dark hooded sweatshirt and dark jeans.
[More >>](#)

Teen arrested after 2 Rotterdam burglaries

A Schenectady teen was arrested Wednesday, accused of committing two burglaries on Myrtle Avenue in the town of Rotterdam.
[More >>](#)

Fire extinguished at old furniture store in Broadalbin

At approximately 5:50 a.m., the Broadalbin Fire Department responded to a fire on Mill Street, at the old Mohawk Furniture store.
[More >>](#)

Gloversville police asking for help identifying robbery suspects

On Tuesday, September 4th, the Gloversville Police Department began investigating a strong-arm robbery that occurred during early morning hours.
[More >>](#)

NHL pre-season game at TU Center canceled

Times Union Center officials received word Thursday that the NHL pre-season game between the NY Rangers and New Jersey Devils has been cancelled.
[More >>](#)

Crews remain on scene of underground electrical fire in downtown Albany

Updated: Sep 20, 2012 10:21 AM EDT

National Grid crews worked through the night, looking underground downtown Albany to learn more about the electrical fire in the sewer system that caused a series of explosions Wednesday afternoon.
[More >>](#)