

Withdrawal of Kolb nomination urged, but Carey stands firm

By PETER HARRIGAN

Advance Staff Writer

ALBANY — The State Senate's leading critic of the Department of Mental Hygiene yesterday formally called on Gov. Carey to withdraw his nomination of Dr. Lawrence C. Kolb as head of the agency.

In a "Dear Hugh" letter to the governor, State Sen. William T. Conklin, R-Brooklyn — who has publicly questioned Kolb's qualifications on several occasions — said that Kolb lacks administrative ability and "is a product of the very system which he is expected to reform."

A spokesman for Carey said in a statement that the governor will not withdraw the nomination, and added that the administration hopes that Senate confirmation of Kolb "will come soon." Carey nominated Kolb as commissioner of the Department of Mental Hygiene more than four months ago.

Conklin, in his letter, said he was asking that Kolb's nomination be withdrawn in light of a recent series of articles in an Albany newspaper which detailed allegations of poor administration of the mental hygiene agency and of poor care for patients under the department's jurisdiction.

"It has been more than four months since Dr. Kolb assumed the duties of acting commissioner and yet we fine no meaningful reform or promise of reform within that department to date," the senator said.

"Dr. Kolb, while a distinguished researcher, is not an administrator and, very frankly, is a product of the very system which he is expected to reform," Conklin said in reference to the fact that Kolb has served as director of DMH's research program.

"I ask you to appoint an experienced and vigorous administrator who will have the capacity to undertake the kind of change necessary to improve the care, the treatment and the training of the wards of this department," the senator added.

The governor's spokesman said that Carey stands by Kolb and nominated the doctor to head the department "because of indications of many negative conditions" within the agency.

"Reform and new avenues of professional and administrative action, however, await the long-delayed confirmation of the new commissioner," the spokesman said. "It is hoped that will come soon."

Kolb's nomination was approved by the Senate Mental Hygiene and Addiction Control Committee in February, and has been pending before the Senate Finance Committee since then.

Public hearings on Kolb's nomination has been postponed several times by the Finance Committee, at least twice at Conklin's request. A spokesman for Committee Chairman John J. Marchi of Staten Island said that the hearing will not be scheduled until allegations raised in the newspaper series have been reviewed.

Conklin, who was the only member of the mental hygiene committee to vote against Kolb, has charged that Kolb does not have the experience needed to administer the department, which operates on a budget of nearly a billion dollars a year.

The Brooklyn senator, who has a retarded son, has also contended that, as a psychiatrist, Kolb does not have the necessary qualifications to deal with the problems of mental retardation. Conklin has further criticized Kolb for holding a part-time teaching job while on the state payroll.

Conklin was the sponsor of legislation, vetoed by Carey last week, to set up a new agency to assume the responsibilities of DMH for caring for the retarded and those with other developmental disabilities.

In an interview yesterday, however, Conklin denied that his call for Kolb's nomination to be withdrawn was based on the governor's veto.

"I'm not looking for revenge," the senator said. "I'm looking for results."

Conklin said that recent advances in the care of the retarded, such as the consent decree signed in connection with the Willowbrook Developmental Center, will be nullified unless new administrators are brought into the mental hygiene agency.

"With Dr. Kolb, it will be the same people running the same show," the senator said.

Several legislators yesterday said they believe Kolb will eventually be confirmed as commissioner, once the Finance Committee has completed its inquiry into allegations raised in the series of articles in the Albany Times-Union.

State Sen. James H. Donovan, R-Chadwicks, the chairman of the mental hygiene committee, said he believes Kolb "is eminently qualified." Donovan added, however, that Kolb has been hesitant to make any major policy decisions until his nomination is confirmed by the Senate.

A spokesman for Kolb, reached late yesterday, said the commissioner is prepared to answer any questions asked of him by the Finance Committee.

Referring to Conklin's request that Kolb's nomination be withdrawn, the spokesman said: "This is the governor's decision and I am sure the governor will see it through."