

Carey may lift ban on outside employment by some state workers

Advance Albany Bureau

ALBANY — Gov. Carey yesterday shifted his position on a recently imposed ban on outside employment by certain state workers and said private practice by some professionals, such as doctors and psychiatrists, may actually be desirable.

"When we're dealing in the professional disciplines, we want to make sure those people upgrade their training through professional practice," the governor said.

Carey made the remarks in a question and answer session with reporters after a swearing-in ceremony for Dr. Lawrence C. Kolb, the new commissioner of the Department of Mental Hygiene.

The governor also said he will ask the Legislature for increased funding for the Willowbrook Developmental Center on Staten Island to enable the state to carry out provisions of a recent court ruling ordering improved conditions at the institution.

Carey added that he hopes to make the improvement of Willowbrook an example to be followed statewide.

Kolb's part-time employment as a teacher was a prime point of controversy in a series of confirmation hearings by the State Senate, and the doctor disclosed yesterday

that "a very considerable number of professionals" in the mental hygiene agency hold down second jobs.

The governor last month issued an executive order barring outside employment by any state worker earning more than \$30,000 a year, or by any public employe involved in a policy-making role, regardless of salary.

Provisions were made for exemption from the ruling, after a hearing before a newly created review panel, and Carey indicated yesterday that the panel will consider the cases of the mental hygiene employes and others who have part-time jobs.

"Each case has to be reviewed on its merits to see whether the net result is an improvement in service to the government," the governor said in reference to private practice by professionals.

Asked about an existing practice under which professionals employed by the state are often affiliated with schools or hospitals, Carey said: "To cut off state institutions from affiliations would not be a step in the right direction.

"We have to maintain these affiliations to improve the quality of service," he added.

The governor indicated he was aware that his executive order would affect a number

of high level employes in the Department of Mental Hygiene, although neither he nor Kolb could tell reporters how many of the agency's workers hold second jobs.

"After a quick telephone survey, I can tell you there is a very considerable number of professionals" in the department who have part-time jobs, Kolb said. Most of them reportedly earn over \$30,000 a year.

Both Carey and Kolb, meanwhile, pledged to overhaul the much criticized department and said they intend to make provisions of a court decree ordering improved conditions at Willowbrook applicable statewide.

Carey also said he will ask the Legislature shortly to restore cuts made last March in funding for a program to drastically reduce the population at the Staten Island institution by transferring patients to facilities closer to their homes.

The governor, in his budget for the 1975-76 fiscal year, proposed the creation of a special \$16.7 million fund to help pay for expenses stemming from the then anticipated court decree.

The Legislature subsequently cut that in half, however, contending that the full \$16.7 million was not needed all at once. Leaders indicated they would be willing to provide ad-

ditional funds when that proves necessary.

"In the supplemental budget," Carey said in reference to the spending plan proposed just before the end of each legislative session, "we will be seeking funding sufficient to carry through the implementation of the Willowbrook consent decree.

"Complying with the law is our job, but we want to go beyond that to set a model," he added.

Kolb's swearing-in yesterday, in a ceremony conducted by Secretary of State Mario M. Cuomo, climaxed more than five months of controversy over Carey's nomination

of the well known psychiatrist, who has been associated with the Department of Mental Hygiene for more than 20 years.

Legislators who opposed Kolb's nomination on a variety of grounds mounted a strong but unsuccessful campaign which culminated Monday when the Senate voted 39-19 to approve the doctor for the post.

Kolb conceded yesterday that he was at the time concerned that he would not be confirmed, but quickly added that he will now devote his full energies to "a number of very important problems" facing his agency.

"There are many needs," he said.