

State says not quitting on retarded

By ROBERT MIRALDI

New York State is "unequivocally" not getting out of the business of providing care for retarded persons in state developmental centers, Thomas A. Coughlin, commissioner of the state's office of retardation, said yesterday from his Albany office.

Coughlin said that despite the apparent implication of the latest court agreement over Willowbrook Developmental Center, the state intends to continue providing care for the almost 20,000 persons residing in 21 state centers, including about 2,500 at Willowbrook.

On Thursday, the state signed an agreement in U.S. District Court that would allow United Cerebral Palsy, a non-profit private agency, to run five of Willowbrook's 27 buildings. The buildings would house about 500 residents.

Some observers construed the agreement as a signal that the state would now move to phase out its involvement in providing care for the retarded. A deputy state commissioner, in fact, was quoted yesterday as saying that if the UCP arrangement worked out, UCP would take over Willowbrook.

Coughlin vigorously denied that is the state's intention, however, saying the agreement is "not a precedent."

Coughlin said the state is "merely trying to experiment" with different models of running institutions. The state official, Deputy Commissioner Barbara Blum, was misquoted, Coughlin said.

Mrs. Blum yesterday clarified her remarks. The UCP takeover of five buildings at Willowbrook does "not necessarily" mean that the approach will be expanded at Willowbrook or at any other state facilities, she said.

She called it "much, much too early" to predict if the approach would be utilized at other facilities, but she added: "It certainly could have ramifications."

The state agreed to 28 stipulations in the 10-page document signed Thursday. One relating to UCP states that "the scope of the contract" would be expanded "to cover other buildings if the operation originally contracted for proves successful."

Coughlin conceded that if the UCP operation does go well at Willowbrook, expanding the contract is certainly a possibility. "We would have to look at

that we're looking at all options," Coughlin added.

Others observers were more adamant about the eventual expansion of private agency involvement at Willowbrook as well as at other state centers.

Bruce Ennis, an attorney for the parents' groups which forced the state to make the latest concessions, said that if UCP "does a better job than the state has been doing, I can see the day when the state would be merely a funder."

Ennis said he could offer no "global assessment" about UCP's involvement, but he said it seemed "sensible right now." The UCP involvement, he said, is a pilot project that will hopefully improve care at Willowbrook.

Ennis' colleague, Anita Barrett, an attorney for the Legal Aid Society, said that if the UCP operation proves successful, "it would be the first step in the direction" of getting the state out of the business of providing direct care.

She called the UCP takeover of five buildings a "trial to see whether it's possible for another group to get a grasp administratively" at Willowbrook.

Despite a 1975 agreement outlining steps and standards of care at Willowbrook, the center is still not providing the level of care which the state's Department of Mental Hygiene had promised — and agreed to in federal court.

Because state officials had not lived up to their pledges, parents' attorneys sought contempt citations against those officials. Thursday's 28-point agreement came as a result of the contempt proceeding.

The UCP stipulation was only a small part of the agreement, but if its precedent is extended to other state facilities, the jobs of 63,000 civil service workers could be at stake.

UCP officials have been adamant that they have the option of hiring their own staff for their five buildings at Willowbrook. "UCP shall have the authority," the agreement states, "to hire the full staff to operate programs in some of the designated buildings."

Other buildings will utilize UCP supervisory staff and lower-level state employees.

Still at issue is what buildings UCP will operate at Willowbrook. When UCP first entered the picture, UCP officials asked that they be allowed to run Willowbrook's so-called children's complex.

The five buildings in that complex are the nucleus of the future Willowbrook, which is slated to be reduced to 250 residents by 1981. There were numerous objections to UCP operation of that complex and negotiations took place yesterday over just what five buildings the agency will eventually operate.

Although the scope of UCP's involvement at Willowbrook would set a precedent, the agency is already operating a program at one state facility — the Nina Eaton Center at South Beach Psychiatric Center.