

State gives in to UCP on Willowbrook power Willowbrook units to be transferred to palsy group Sept. 1

By SYDNEY FREEDBERG

State officials agreed hesitantly yesterday to surrender sovereignty over a portion of the Willowbrook Developmental Center, giving a private organization a shot at wiping away the misery that seems to persist there under public control.

The historic arrangement, effective Sept. 1 and providing for the transfer of the care and treatment of 641 Willowbrook residents to the privately run staff of the United Cerebral Palsy Association, was consented to by Gov. Carey's office late yesterday afternoon.

It was an 11th-hour understanding — coming 15 minutes before a 5 p.m. deadline imposed by UCP's Manhattan leadership — that quickly erased the fears of Willowbrook residents' relatives as well as others who sought the private takeover and who went to court to get the concept approved.

Apparently, state officials took UCP's threat to bow out of the plan as genuine, for they ultimately agreed to an arrangement that leaves unsettled some of the major labor and legal issues that have troubled them for months.

Foremost among these is an undecided lawsuit, brought by the union representing Willowbrook's public workers, which challenges the private group's desire to care for the institutionalized retarded on the ground that such an arrangement violates existing collective bargaining agreements.

An estimated 700 civil servants face job reassignment when UCP's privately

hired staff assumes control of selected Willowbrook facilities Sept. 1. But the employes maintain more than that will happen. They fear that in 1979 or 1980 many of them will be laid off as a direct result of the UCP takeover.

The state, which has only assured the workers' jobs through the end of next year, admits employes will be let go as the institution's population, now at 2,500, is decreased to 250 by 1981 in compliance with a federal court order.

Apparently fearful of losing the suit brought by the Civil Service Employees Association, or the fiscal implications such a loss could mean, state officials, in yesterday's verbal agreement with UCP, gave the private group what they called a "revocable permit."

Under this non-written pact, the non-profit palsy group is given complete authority over seven formerly public Willowbrook buildings and a kitchen on the grounds of the 384-acre institution.

But according to Thomas A. Coughlin, deputy commissioner of the Department of Mental Hygiene, the permit could be at once voided by the state and UCP forced to relinquish control, should problems arise or an adverse court ruling be handed down.

The transfer of care to the palsy group, Coughlin said, will come in the form of a massive "discharge" of the 641 residents, who are afflicted with a host of physical and developmental dis-

abilities. Never before, he added, has New York State undertaken anything quite like it.

Robert Schonhorn, executive director of the palsy group, explained an agreement documenting the terms of this discharge will not be put to paper — apparently the state's way of skirting problems with its union of public workers.

Schonhorn said his privately hired staff of more than 1,000 professional and non-professional workers will assume control of the seven buildings Sept. 1, and that August will be the month of transition.

More than 200 UCP therapy aides, being paid on federal lines, are already on staff at the developmental center, Schonhorn said, adding that they will be salaried by UCP come September.

Schonhorn also said that several hundred workers have not been hired yet, including a director for the UCP-run Willowbrook complex.

The facilities chosen for private operation are Buildings 13 and 15, housing teen-age youngsters, and Buildings 12, 14, 16, 26 and 28, constituting the so-called baby complex — the nucleus of Willowbrook's future.

Of those, Schonhorn said, Buildings 12, 13 and 15 will operate under a shared staffing arrangement — with state therapy aides and private supervisors — although the palsy group will have ultimate authority over all of the residents' welfare.

Under a March 10 ruling in Brooklyn Federal Court, the state agreed in principle to the private takeover as a way to improve conditions at Willowbrook and in an attempt to avoid a contempt trial against Carey, Coughlin and other officials for failure to implement the terms of the 1975 Willowbrook Consent Decree.