

# 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.

Now that an arrangement has been approved, Schonhorn and the private organization become accountable to the federal court and to a court-appointed review panel that oversees conditions at the troubled institution.

In addition, UCP-run Willowbrook must adhere to strict federal guidelines for facilities housing mentally retarded persons.

Schonhorn, saying he is "looking forward to this opportunity," contended that UCP will be able to serve each resident at a cost of approximately \$30,000 a year, the same amount it currently costs the state. The operation will be paid by Medicaid funds and other governmental grants.

The palsy group anticipates few union-related problems, according to Schonhorn, who added he is hopeful the private and public workers have a common goal: To see the lives of the mentally retarded at Willowbrook improved.

The United Cerebral Palsy Associations' speciality is with physically disabled individuals, and in their treatment

the organization has proved itself a giant. But the group's effectiveness with a predominantly mentally retarded clientele is largely untested.

The palsy group does, however, operate one residence for 50 former Willowbrook people — the Nina Eaton Center housed in Building D of the South Beach Psychiatric Center — which has received positive critiques from mental health experts across the country.

Schonhorn said he hopes to duplicate Nina Eaton's success, using the small center as a model for the optimal care that can be provided for the mentally and physically disadvantaged.

Coughlin, in commenting on the arrangement, said: "We are happy this whole thing has worked out because we didn't want to deprive the people at Wil-

lowbrook of much needed services.

"The only thing we can hope now is that UCP can succeed where we could not."

Felton King, president of Willowbrook's union local, refused to comment on the arrangement, except to say he was "shocked" that the deal had been made so suddenly. He added the workers will pursue their court challenge since "our livelihoods are at stake."

Willowbrook parents active in affairs at the institution unanimously praised the accord, saying they are optimistic conditions at the developmental center, under criticism for more than a decade, will now be improved, along with the chance for a happy life for their children.