

Our opinion

Better review panel a must

Among the many unresolved budgetary issues facing state legislators who reconvened in Albany today is the fate of the Willowbrook Review Panel, a state-supported, court-appointed group charged with monitoring conditions at the Staten Island Developmental Center and reporting its findings to the U.S. District Court in Brooklyn.

For reasons still not perfectly clear, the Legislature late last month deleted the \$342,000 needed to finance the panel's operations from the state's 1980-1981 budget. Federal Judge John R. Bartels, to whom the Willowbrook monitors have been reporting, says he'll hold Gov. Carey and state Comptroller Edward Regan in contempt of court unless they find some way to put the panel back into business.

The controversy over the review panel is certain to leave many with mixed feelings.

On the one hand, as some of those opposed to the panel's continuation point out, the monitors' functions are largely duplicated by the Governor's Quality of Care Commission, a three-year-old panel responsible for overseeing conditions in state-run and private facilities for the mentally disabled.

In addition, certain aspects of the review panel's operations have left much to be desired:

For one thing, as Assembly Mental Health Committee Chairwoman Elizabeth A. Connelly of West Brighton notes, five of the panel's seven members currently reside in other states. While the impact of panel members' places of residence on their ability to do their job might be debated, one fact is beyond dispute: Reimbursement of out-of-state panelists for their travel expenses consumes thousands of dollars that would

be better spent on patient care.

The review panel also has developed a habit of barring the press and the public from its meetings. There can be no question that the panel is a public body conducting public business that involves the expenditure of public funds; under those circumstances, the monitors' insistence that they meet behind closed doors is an absolute disgrace and quite probably illegal as well.

It must not be forgotten, however, that the review panel was established as a result of the Willowbrook Consent Decree — a court agreement reached after the state was sued because of atrocious living conditions at the Island developmental center and other institutions like it.

With some of the consent decree's provisions still to be implemented, retention of the review panel as a guaratee of compliance is desirable. Though the state's sense of responsibility for the humane care of the mentally disabled has grown by leaps and bounds since the decree was signed, Judge Bartels quite properly insists that the court-appointed monitors remain on the scene until every single reform envisioned in the court agreement becomes reality.

The Legislature, now engaged in budget negotiations with Mr. Carey, should act quickly to restore funds essential to the review panel's continued operation.

But that money shouldn't be made available without a few strings attached. Judge Bartels, who certainly is quite familiar with the law, should instruct the panel to open all future meetings to the press and public; in addition, the judge should make certain any vacancies on the panel are filled by New Yorkers with a clear stake in government care of the disabled.