

Mental health agency ends policy on energy stipend

By ANEMONA HARTOCOLLIS

The state's office for mental retardation — and through it the Staten Island Developmental Center — has retracted a controversial policy for dispensing to persons under its care a one-time-only Special Energy Allowance.

Under general state policy, most eligible individuals — who include the elderly, the poor and the disabled — have received only a third of the \$150 energy allowance authorized by Congress last November.

But mentally retarded recipients will begin in May to collect the remaining \$100 under a newly formulated directive of the state Office for Mental Retardation and Developmental Disabilities (OMRDD).

Congress appropriated the energy allowance for individuals dependent on

Supplemental Security Income (SSI), a program of monthly payments to the elderly, poor, disabled and their offspring or survivors, administered by the Social Security Administration.

The stipend, described as a method of defraying rising costs of electricity, gas, oil and other cold-weather-related bills, was met immediately with conflicting claims.

Many SSI recipients are not independently responsible for their room, board and other needs; rather, they are assisted by guardians, who run the gamut from adult-home operators to foster parents. They expected the energy allowance to be remitted to them, a contingency for which Congress had not prepared.

"The feds were in such a hurry to get to press on what they were doing to help poor people with energy needs that they

didn't bother to think about the hundreds of thousands of people around the country who live in congregate care situations," Paul Litwak, deputy counsel to the Office of Mental Retardation, said yesterday. "Federal law is very unclear on how the allowance should be distributed."

State agencies through which SSI payments are channeled took the task of legal interpretation into their own hands in December, the month before energy allowance checks were to be delivered.

In a Dec. 21 memorandum, the state Department of Social Services took the lead by suggesting that residents of homes, which it licenses, should offer \$100 of each allowance to their facility operators — retaining only \$50 for personal use.

Among other agencies, the Office of

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