

Connelly trying to extend deadline for Willowbrook panel

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ALBANY — Assemblywoman Elizabeth A. Connelly is trying to negotiate major changes in the Willowbrook Consent Decree, a 6-year-old agreement that mandates the transfer of all but 250 Staten Island Developmental Center patients into community residences by April 30.

Mrs. Connelly, a West Brighton Democrat who chairs the Assembly Mental Health Committee, is tying

a renewal of state funding for the Willowbrook Review Panel, a court monitor, to an extension of the April 30 deadline. She is also asking the plaintiffs who brought the suit that led to the signing of the decree in 1975 to allow the institution to permanently care for more than 250 residents, perhaps 500 in all.

But the negotiations appear to be running into a roadblock, opposition from Senate Mental Health Committee Chairman Frank Padavan, R-Queens. Padavan last night said

he opposes funding the panel on "philosophical" grounds and cannot envision negotiations changing his mind.

The Willowbrook center, which housed more than 6,000 patients in the 1960s under conditions described by the late Robert Kennedy as a "snakepit," now cares for about 900.

Funds for the seven-member Review Panel were cut off last year by lawmakers led by Padavan, who complained that it had mandated

expensive and sometimes inappropriate care for members of the so-called Willowbrook class, the 5,000 residents of the Staten Island institution when the suit was brought by parents and other plaintiffs in 1972.

Mrs. Connelly said that a two-year extension of the April 30 deadline had been mentioned during discussions she had yesterday with state Mental Retardation Commissioner James E. Introne and representatives of the New York City Civil Liberties Union, a plaintiff in

the Willowbrook case.

"We'd also like the Review Panel to consider more input from the Legislature and possibly move back somewhat from the 250 number," Mrs. Connelly said.

Mrs. Connelly denied that she is seeking to lessen the improvements guaranteed under the decree.

There are likely more than 250 Staten Island Developmental residents who are so profoundly retarded and handicapped to make their placement into group homes impractical, she said.

Mrs. Connelly added that morale among the center's 3,000 employees has never been lower, partly because of the April 30 deadline, she said. "We clearly need an extension," she said.

Robert Levy, counsel to the New York Civil Liberties Union, said his group recognizes that the state cannot transfer enough residents to meet the April 30 deadline for a 250-patient center population.

"We're willing to work on a reasonable extension," he said.

But Levy said clearly the group's top priority is restoration of state funding for the review panel — about \$350,000 a year.

"We need an independent group to monitor care," Levy said. "It is an imperative."

He said a restructured review panel — Mrs. Connelly proposes to replace the seven-member panel funded in past years with a five-member group — could determine if more than 250 residents must stay behind at the Island center as suggested by the Island assemblywoman.

But Padavan said the state does not need a panel of experts, "most of whom don't even live in New York," to determine what kind of care to provide for the retarded.

"I'm philosophically opposed to having an outside group set state policy," Padavan said.

Failure to fund the panel would probably result in a move by the Civil Liberties Union to declare the state in contempt of court. The decree mandates the existence of the panel to monitor state compliance with the minimum staffing and care requirements it establishes.

The panel has continued to operate on a scaled-down version since it lost funding, but it has been unable to staff even routine audits of patient care.

Mrs. Connelly said if an agreement can be reached with the Civil Liberties Union and other plaintiffs, money can be added to the state budget for the 1981-82 fiscal year. Adoption of the budget, which was to take effect yesterday, is being delayed by an impasse between Democrats and Republicans.