

Our opinion

Revive the review panel

When the Willowbrook Review Panel folded last year after the Legislature refused to fund it, some were only too happy to see the seven-member monitoring group go.

Created at the insistence of a federal court to oversee the state's compliance with the 1975 Willowbrook Consent Decree, the review panel unquestionably played an important role in improving living conditions for the mentally retarded placed in the state's care.

But there's also no question that the review panel, as it existed in its final days, left a great deal to be desired.

The panel, though clearly a public body that conducted public business requiring the expenditure of public funds, made a common practice of barring the press and the public from its meetings. The panel's attitude was arrogant, to be sure, and quite probably in violation of the state's Open Meetings Law.

Some also questioned the fact that five of the panel's seven members resided in other states. While New York clearly does not have a monopoly on experts in the field of caring for the retarded, the reimbursement of out-of-state panelists for travel expenses consumed tens of thousands of dollars that could have been better spent on patient care.

Issues such as the composition of the review panel and its meeting practices certainly provided grounds for an overhaul of the group, but they do not constitute the

sole sufficient cause for the Legislature's decision to scrap the review panel.

The issue of the review panel is being discussed in Albany in the course of negotiations over the state's long-overdue 1981-1982 budget. The Assembly, with Gov. Carey's backing, has proposed to appropriate just over \$60,000 for a smaller review panel whose membership criteria and obligation to conduct business in public would be clearly delineated as part of the enabling legislation.

Efforts to revive the review panel are particularly significant in light of the recent U.S. Supreme Court ruling which, from a federal standpoint, narrowed the rights of retarded persons. In view of that ruling, efforts by individual states to care for the retarded humanely, and to help retarded individuals realize their full potential, take on added importance.

The review panel, as it existed until last year, clearly was far from perfect. But the review panel, with the modifications proposed by the Assembly, would offer the best possible guarantee against a slow but steady reversion to the thinking that retarded persons do not enjoy the same rights as other people; that's exactly the sort of thinking that led to the horror and disgrace known as Willowbrook State School.

The Willowbrook Review Panel should be re-established, if not in the main budget now being negotiated, they certainly as part of the supplemental budget to be adopted before the Legislature adjourns later this

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