

Our opinion

State must improve monitoring of UCP, other organizations

What has happened is that thousands of retarded persons have been transferred, in a slow but steady stream, from the custody of the state to the custody of more than 270 private organizations. Those groups not only are responsible for the well-being of thousands of human beings, but also are entrusted with tens of millions of dollars in public funds annually under their contracts with the state.

Yet the state seems unable to effectively monitor the organizations to which it has given responsibility for thousands of lives and millions of dollars. The potential for abuse is real, and the need for remedial action is immediate.

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The Advance, in a two-month investigation of the largest organization now providing care for the retarded, has uncovered alarming evidence of questionable practices involving both patient care and the use of public and patient funds. The organization — the United Cerebral Palsy (UCP) Associations of New York State — has consistently maintained its innocence of any wrongdoing or impropriety.

Here are just a few of the questionable practices identified by the Advance in the course of its investigation:

UCP has, in numerous cases, sought court-sanctioned legal guardianship of patients in its care, acting without the knowledge of a special advisory panel established under the Willowbrook Consent Decree.

A UCP official in at least one instance authorized elective surgery for a patient under the group's care, even though such authorization is prohibited without a court order. When the patient died during surgery, UCP failed to report the incident to the state, as required by law.

Could the horror of Willowbrook happen again?

Most public officials in New York would answer with a quick and indignant "no."

But the fact is that the state, which in six years has taken great strides toward improving publicly provided services for mentally retarded citizens, appears to be woefully unprepared to monitor the scores of privately controlled organizations that now help to care for the retarded.

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There were nearly 5,000 persons residing at the Willowbrook State School in 1975 when the state, under a federal court order, agreed to make a series of dramatic improvements in the care offered to the mentally retarded and the developmentally disabled

As of today there are only a few hundred persons still in the state's custody at Willowbrook, now known as the Staten Island Developmental Center. Similar progress in deinstitutionalization elsewhere in the state is generally interpreted as a sign that the state, for the most part, has lived up to the terms of the Willowbrook Consent Decree.

But, what has happened to the mentally disabled in New York since 1975? They have not been cured. Nor have they disappeared.