

# UCP documents defend legality of agency's practices

By ANEMONA HARTOCOLLIS

United Cerebral Palsy Associations of New York State has compiled a package of nine documents purporting to show the agency has not broken any laws, despite published allegations that it has engaged in questionable practices, including the misuse of Medicaid funds intended for mentally retarded patients.

A spokesman for United Cerebral Palsy said yesterday that he had been ordered by the agency's executive director, Robert Schonhorn, not to reveal the contents of the documents to the Advance, where questions about the management of the \$31-million non-profit agency were originally raised in a series of articles last month.

The spokesman, Walter Rosenthal, said he had delivered the package of documents yesterday to two other news organizations and to the state's commissioner of mental retardation, James E. Introne.

Rosenthal did not deny any of the allegations raised by the six-part series of articles, which dealt with a mentally retarded patient's death; a subcontract awarded by the agency to a member of its board of directors, and a clothing store operated by the agency for 887 retarded patients in New York City, among other issues.

"There is no question that there was a vulnerability," he said, "but the vulnerability is one thing — legally, we were correct."

Rosenthal refused to discuss the agency's legal arguments, saying that would force him into a "defensive posture" and "probably lend credibility" to the published allegations.

Neither the Daily News nor United Press International, the newspaper and wire service to which Rosenthal said he gave the documents, published articles about United Cerebral Palsy today.

Commissioner Introne, who met with Schonhorn in the agency's Manhattan offices yesterday morning, according to Rosenthal, was traveling later and could not be reached for comment.

Rosenthal said he was particularly indignant at reports in the Advance and other news media that United Cerebral Palsy is being investigated by the state Office for Mental Retardation and by the Commission on Quality of Care.

He said the news media have inappropriately used the words "investigation" and "probe" to exaggerate the nature of what he characterized as routine auditing and review of the agency's operations.

"You can do the semantics and play the word games with me, but I've been around too long and I do the Times crossword puzzle. If you want to call an ongoing audit an investigation, you can say so. I think that's wrong," Rosenthal said.

But Kevin Travis, a deputy commissioner in the Office for Mental Retardation, recently confirmed that he has instructed the independent auditing firm of Deloitte, Haskins & Sells to pay special attention to the allegations reported in the Advance.

"We are not treating this in a cavalier manner by any stretch of the imagination," Travis, deputy commissioner of quality assurance, said.

Travis said he is prepared to assign additional funds, if necessary, to expand the scope of the audit by Deloitte, Haskins & Sells, a firm that was hired last March to conduct a standard review of United Cerebral Palsy's Medicaid costs.

According to Paul F. Stavis, legal counsel to the Commission on Quality of Care, the commission is investigating the case of a 23-year-old retarded woman whose death United Cerebral Palsy failed to report as required by state regulations.

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