

U.S., Citing Violations, Plans to Deny \$22 Million for Old Willowbrook Site

By RONALD SULLIVAN

The Federal Government said yesterday that it was planning to deny nearly \$22 million in Medicaid funds to a state center on Staten Island for the retarded and disabled on the ground that the center, formerly known as Willowbrook, had violated many Federal health and safety standards.

Federal officials said the violations included a lack of sufficient food for patients, many of whom cannot feed themselves; inadequate treatment and therapy programs, and substandard living and bathing facilities.

The violations recalled those cited in 1972

that led to a Federal Court decision requiring the state to improve conditions and reduce overcrowding at Willowbrook. In a pledge last year to close the antiquated main building of the center, Governor Cuomo described it as "once a national symbol of neglect and callousness."

The Federal Health Care Financing Administration, which oversees the Medicaid program, said the denial of its share of the Staten Island Developmental Center's annual budget of nearly \$43 million would take effect June 14, unless the center corrected the violations.

A spokesman for the State Office of Mental

Retardation and Developmental Disabilities, Louis J. Ganim, said, "We do not feel there is any substance to the charges." He added that the center had just been certified by the State Health Department.

The Director of State Operations, Henrik N. Dullea, said the state would appeal the planned denial. Under an appeal — to a Federal administrative judge — the center would continue to receive the money until a final ruling by the Secretary of Health and Human Services, Margaret M. Heckler.

State officials said they doubted the center could remain open without the Federal money. They said that although Mr. Cuomo had ordered the center to be scaled back by 1987, if an appeal failed, the state would have no choice but to spend millions of dollars to meet the Federal standards.

Fifteen years ago, as the Willowbrook State School, the center had more than 5,000 patients living under conditions that a Federal court said were overcrowded, squalid and inhumane. Yesterday, state officials said that were 700 patients and that 300 are to be moved out in a year.

The scaling back, mandated by the so-called Willowbrook consent decree in 1975, has resulted in the transfer of patients to community residences.

According to the state, 148 patients will remain after 1987 at a recently constructed complex at the center and in a nearby cluster of residential housing when the 50-year-old main building, near Victory Boulevard, is closed.

However, community resistance has impeded state efforts to place mentally retarded and disabled patients in neighborhood residences.

The regional administrator of the Health Care Financing Administration, William

Toby Jr., said: "We deeply regret terminating Federal Medicaid funds for the center. But our primary concern is the well-being of clients, and we hope the state will take immediate steps to eliminate the violations our inspectors have found."

"New York is one of the richest states in the country, and it has enough resources to eliminate the deficiencies without Federal help."

A letter from the associate regional administrator, Alan J. Saperstein, to the director of the center, James Walsh, cited 55 violations found by Federal inspectors this year. As a result, Mr. Saperstein said, the center did not meet "certain requirements necessary to protect the health and safety of patients."

Mr. Saperstein said many of the same violations were found in an inspection last year.

According to Mr. Toby, the most serious violations involved a chronic lack of adequate active-treatment and occupational-therapy programs. On at least one occasion, he said, the inspectors observed that there was insufficient food for patients.

He said living and bathing accommodations were unsatisfactory, but did not provide details. In addition, he said, there were insufficient workers living at the center as opposed shift workers.

Last year, five other New York developmental centers were denied \$43 million in Medicaid funds until they complied with Federal standards.