

## State Accused on Hospital Inspections

By MAX H. SEIGEL

A consumers' group has charged that the State Health Department has violated the state law mandating full inspection of hospitals before they are granted certificates of operation.

Donald Rubin, president of the Consumer Commission on the Accreditation of Health Services, said that no voluntary hospitals in the city had been inspected in the last two years, the period for which certificates of operation are normally issued.

Mr. Rubin's charge was confirmed by Al Schwarz, assistant commissioner for evaluation and institutional review of the city's Health Department.

Under Article 28 of the Public Health Law, the state claims jurisdiction over inspection, the setting of standards and the licensing of hospitals. But Mr. Schwarz said that in some areas the city had not accepted this position.

"We feel we have the responsibility to make sure the quality of care is of a high caliber," he declared, "and so we send our own sanitarians into the voluntary and municipal hospitals to do what the state should be doing."

### Nursing Homes Inspected

Dr. Frank Cicero, assistant state health commissioner, explained that the schedule of inspections had been disrupted by the state's need to inspect hundreds of nursing homes, a

responsibility the state assumed last September.

"But we're now able to schedule our inspections," he said, "and we're resuming them."

Mr. Rubin declared that the state carried out the nursing home inspections not only because it felt they were needed but also because the Federal Government was paying the state to make them.

Mr. Schwarz said that the state also was mandated to inspect methadone treatment centers, but was not doing so. As a result, he declared, the city carries out its own inspections of private methadone centers. Meanwhile, according to Mr.

Rubin, the state has been relying on hospital inspections carried out by the Joint Commission on Accreditation of Hospitals. These, he said, bore no relation to Article 28 inspections.

"The state," he said, "is legally bound to protect the public with regard to hospitals while the Joint Commission's function is educational. The state cites specific deficiencies; the commission only suggests general areas that could be improved. And while no financial strings are attached to state inspections, those of the commission are paid for by the hospital."