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HEADLINE: DRUG CENTER STILL NOT CERTIFIED;
REVIEW OF KIDS HAS LASTED 2 YEARS

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BODY:

When a controversial Bergen County drug treatment center for children and young adults applied for certification to stay in business, the state Department of Health called a public hearing to gather information before deciding the program's fate.

Scores of people packed an auditorium for the hearing on KIDS of Bergen County. Some claimed patients were physically mistreated and held against their will. Others declared that KIDS saved lives. There was "a sense of urgency," said Robert Bedell, then the county's alcoholism and drug-abuse coordinator.

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That was two years ago, and the state agency is still reviewing the private, not-for-profit program.

The treatment center, which has since been renamed KIDS of North Jersey and moved to Secaucus, continues to operate free of Health Department regulation.

In the past two years, the center's troubles mounted. Last summer, the Bergen County Prosecutor's Office escorted away more than a dozen patients after complaints that clients 18 years or older were unlawfully kept against their will. KIDS said the allegations were untrue.

And, after owing nearly half a million dollars in rent, the program left Hackensack in August as part of a settlement. For several months, KIDS operated out of undisclosed sites, including a Passaic County home where the counseling activities appeared to violate the zoning code.

Larry J. McClure, a former Bergen County prosecutor whose office investigated KIDS four years ago and who urged the state to monitor the program, criticized the health agency's lengthy deliberation.

"I don't think you can justify by any interpretation the state's failure to act upon KIDS' application," he said. "They are clearly not getting the job done. Whether their decision is one of approval, approval with conditions, or rejection, any one of those is better than no action at all."

John W. Farrell, the agency's acting assistant commissioner of addiction services, acknowledged "the wheels of bureaucracy do move a little slowly." He said the review stretched out in part because the agency sought additional information from KIDS, though he would not specify what that information was.

Richard J. Russo, an acting deputy health commissioner and Farrell's boss, said the review lengthened because KIDS was temporarily "out of business" last year after leaving Hackensack and before settling in Secaucus. But as The Record reported earlier, KIDS continued to operate in satellite quarters.

The agency's directive that KIDS apply for a certificate came after McClure's office in 1987 closed a nine-month investigation. While the probe did not substantiate clients' allegations of physical mistreatment, it underscored the need for regulation, said McClure, now the Bergen County Utilities Authority's executive director.

McClure's call for accountability led the Health Department, after consulting the state Attorney General's Office, to dust off a law that has been the books for two decades but has never been implemented.

The law requires every drug treatment center to secure a certificate of approval from the state Health Department before operating. Before issuing certification, the agency must investigate programs and see that they meet "minimum standards of treatment."

Russo said the state Health Department never implemented the certification law because drug treatment programs have been licensed through separate statutes also approved about the same time. These statutes call for licensing of health care facilities.

Joseph M. Gorrell, an attorney for KIDS, said the center, which treats about 54 patients, tried to become regulated "in some form or another" since its inception in 1983. Initially, state officials, in apparent contravention of their own mandate, said no license or certificate was needed, he said.

A decision on the KIDS application is expected this month.

In other states, affiliated KIDS programs struggled with licensing and faced accusations similar to those in New Jersey. Miller Newton, the author and medical anthropologist who launched KIDS, dreamed of having a nationwide network of centers.

But KIDS of Greater Salt Lake, a Utah affiliate, closed down last summer after state officials revoked its license. KIDS of El Paso County's license had been revoked in 1988 and, after an appeal, conditionally reinstated.