



*The Chief-Leader*

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*Darcy Wells QUOTED*

# PEF NEWSCLIP

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## Home-Care Aide Safety Bill Gets Pataki's Veto

By REUVEN BLAU

Governor Pataki July 26 vetoed the Judi Scanlon Bill, which would have allowed state health-care workers to request accompaniment by a colleague during home visits to mentally ill patients.

The measure, named after the health-care worker who was murdered by a patient while conducting a home visit in Buffalo in 1998, was backed by the Public Employees' Federation.

### Calls It Too Broad

Mr. Pataki rejected the bill based on a "serious" technical flaw, according to his veto message. The bill, he said, was problematic because it was not limited to Office of Mental Health employees. For instance, the state would have been required to have all health workers accompanied by an OMH employee during home visits, even if only one of those workers were employed by that agency. "I am confident that the sponsors did not intend this result," the veto message stated.

"The issue of the technical flaw is just absurd and I don't buy it," contended Kelly Scanlon-North, who was 26 years old when her mother was killed. "I'm very hopeful that the next Governor will fix this wrong."

PEF has been working to get the legislation passed since Ms. Scanlon was murdered by Diane Wylie, who has since been criminally convicted. This was the first time, however, that the bill reached Mr. Pataki's desk. The union held a rally July 24 in Buffalo urging the Governor to sign the measure into law.

### Limit ICM Caseloads

The legislation also would have required OMH to provide all Intensive Case Managers annual safety and violence prevention training as



PEF photo by Darcy Wells

**HARSH WORDS FOR GOVERNOR:** Kelly Scanlon-North, seen here addressing a Public Employees' Federation rally July 24 on behalf of a bill giving greater protection to health-care workers when they visit mentally ill patients, accused Governor Pataki of indifference to the mentally ill and those who treat them after he vetoed the measure two days later. Ms. Scanlon-North's mother, Judi Scanlon, for whom the bill was named, was murdered eight years ago by a patient.

well as a cell phone to be used in case of an emergency. In addition, the measure mandated that there be "no fewer than one Intensive Case Manager for each 12 persons" receiving care.

"I'm not surprised," Ms. Scanlon-North said, referring to the veto. "This is just one more way of his to ignore the mentally ill and those who take care of them."

Mr. Pataki noted in his veto message that on June 7 he signed the Workplace Violence Prevention Law, which requires managers to assess risks and implement programs to help prevent job site attacks. "Similarly, this bill is a well-intentioned measure to protect persons working with the severely mentally ill," the rejection memo stated, referring to the Judi Scanlon measure. "While I support the intent of this measure, I am constrained to disapprove the bill due to a significant technical flaw."

Several hours after the veto message became public, Darcy Wells, PEF's chief

spokeswoman, responded, "We are obviously disappointed. We will continue to push this forward."

Ms. Scanlon-North noted that shortly before her mother's death, she persuaded her supervisors to have health-care workers use state vehicles during home visits. "She fought very hard for it," she said during a July 27 phone interview. "She wanted to make certain people in the community knew she was an official of the state."

### Family Still Reeling

Her sudden death before Thanksgiving eight years ago greatly affected the family, she added. "There are family members 'til this day that can barely talk about her just because it's so painful," she remarked, noting that her sister Sheena was only 8 at the time.

The funeral brought little closure, she added. "We attended a funeral with a closed casket," she recalled. "She was nearly decapitated

—none of us were able to properly say goodbye."

Neither Mr. Pataki nor any of his top aides ever reached out to the family to offer their condolences, she added. "That says something about his character," she asserted. "I'm going to celebrate the last day that Pataki is in office. This has been such a long road and journey for us."