

## **County Jail Inmate Health Care**

### **Summary**

The Grand Jury initiated an inquiry into the quality of health care being provided to inmates housed in the Ventura County jail system. The intent of the inquiry was to see if this health care being given met the minimum requirements of Article 15, Title 9, sections 3350 through 3369.1 of the California Code of Regulations (Article 15) and the standards established by the Institute of Medical Quality, a subsidiary of the California Medical Association.

### **Background**

Currently, the dental, medical and mental healthcare services are being provided by California Forensics Medical Group (CFMG), located in Monterey, California, a private, non-profit corporation that also provides identical services to 28 other counties in California. Prior to 1987, health care management and services were provided to the inmates directly by the Ventura County Health Care Agency utilizing personnel from the Ventura County Medical Center (VCMC), then known as Ventura County General Hospital.

### **Methodology**

The Grand Jury reviewed the proposal and current contract between the Ventura County Sheriff's Department (VCSD) and CFMG that was approved in July 2001, and expires in June 2005, with an option to renew yearly for an additional four years. The Grand Jury then reviewed a proposal that was submitted in 2001 by a competitor company, Prison Health Services, Inc., located in Brentwood, Tennessee to make a comparison between the two contracts. Members also reviewed an analysis prepared in October 2003, by the Ventura County Health Care Agency that outlines the possibility of the VCMC again providing the full services needed for inmate health care in the future.

Members of the Grand Jury visited all the county detention facilities to inspect the medical facilities and interview the nurses and other staff employed by CFMG and examine the Controlled Substance records on file to see if the operation was in compliance with the current contract and Article 15.

The Grand Jury reviewed the forms used by the deputies, police officers and CFMG nursing staff when screening inmates for medical and mental health problems at the time of intake into the jail system. Also reviewed were Requests for Medical Care forms and Health Care Complaint forms that inmates fill out and submit to the jail watch commander, who then forwards them on to the CFMG staff for action.

The Grand Jury also reviewed news articles and reports and spoke to deputies in the Custody Division about the two suicides and one fatal heart attack that occurred during the first eight months of this Grand Jury term.

## **Findings**

- F-01.** Inspections and reviews were done by the Grand Jury to determine that CFMG has maintained accreditation services beyond Article 15 requirements and Institute of Medical Quality standards as required in the contract.
- F-02.** Article 15 requires local detention facilities to provide emergency and basic dental, medical and mental health care services to all inmates.
- F-03.** The accreditation that CFMG holds from the Institute of Medical Quality as required by the contract insures that health care delivery meets or exceeds these state and federal requirements for correctional health care when certified.
- F-04.** Providing correctional health care is a specialized service because of its environment and the fact that it is proactive. Most inmates upon intake have medical and mental problems that were usually left unattended for long periods. In some instances these problems must be treated without the inmate's consent ( AIDS, sexually transmitted diseases, schizophrenia, tuberculosis, etc.).
- F-05.** The majority of services provided by CFMG are not reimbursable by health insurance or state and federal funding and, therefore, result in net cost to the County of Ventura.
- F-06.** Under the contract, CFMG is responsible for a maximum of \$15,000 worth of health care per inmate per incarceration period. The VCSD absorbs costs above that limit.
- F-07.** The contract further dictates the medical staffing level at the main jail and at the Todd Road jail along with the availability of an MD and psychiatrist on a 24-hour basis. Currently there are no staff and no services provided at the East Valley facility or at any of the contracted cities served by the VCSD
- F-08.** The only infirmary maintained by CFMG is located at the main jail facility. Should the nursing staff at Todd Road or booking deputies at the East Valley facility determine that the inmate is too ill to be housed at either facility, the inmate will be transferred either to the main jail or to VCMC.
- F-09.** As required by the contract, CFMG maintains a close contractual exclusive relationship with the VCMC for all inmate medical conditions of inmates that cannot be dealt with by CFMG staff within the jails. Those inmates who are determined to be too ill or to mentally unsound at the time of intake into the jails are immediately sent to the VCMC for treatment at the expense of CFMG.
- F-10.** While the company, CFMG, is not required to be licensed by any county or state agency, most of the management and all the staff are required to have current individual health care and medical practice licenses.

- F-11. The current amount of the contract between the county and CFMG is \$4,856,291.56 per year, paid in twelve monthly installments. There are provisions in the contract that allow for unforeseen expenses and yearly increases that correspond to rising costs and the inflation rate.
- F-12. The comparison between the CFMG contract and the proposal submitted by Prison Health Services Inc. shows that the proposal exceeded the CFMG contract by over \$500,000 per year for nearly identical services provided.
- F-13. The analysis prepared by the Ventura County Health Care Agency on October 24, 2003, concerning the possibility that the VCMC management and staff take over providing full medical and mental inmate services reflects an estimated yearly cost of over \$6.2 million, more than one million dollars than is currently being paid to CFMG for identical services.
- F-14. CFMG's contract guarantees that its staff is prepared and trained to deal with nearly any emergency including catastrophic, immediate illness and potential suicide watches.
- F-15. According to the contract, CFMG is responsible for providing all medical services to all inmates within the facilities, including the purchasing, prescribing and dispensing of medicines and controlled drugs, the maintaining of all equipment and the staffing of all medical personnel. According to the contract, no VCSD employee within the facilities is allowed to provide any medical or mental health treatment to any inmate.

## **Conclusions**

- C-01. Inspections and reviews done by the Grand Jury, as well as the inspections performed by the Institute of Medical Quality and the California Board of Corrections within the last year verify that CFMG has maintained accreditation services beyond Article 15 requirements and Institute of Medical Quality standards as required in the contract. (F-01, F-02, F-03)
- C-02. Grand Jury examination of records and interviews with county jail and CFMG staff confirms that contractually required staffing and the availability of physicians and psychiatrists are being met. (F-04)
- C-03. Grand Jury review of the most recent California Board of Corrections biannual inspection shows that all CFMG staff working within the Ventura County jail system have the proper accreditation and licenses that are current and valid. (F-07, F10)
- C-04. Grand Jury review of the submitted proposal by Prison Health Services Inc. and the contract submitted by CFMG reveals the true costs saved by using CFMG. (F-11, F-12)
- C-05. The Grand Jury, after review of the analysis prepared by the Ventura County Health Care Agency concerning the possibility that the VCMC take over the full inmate medical and mental services, concludes that this would not be cost effective. (F-13)

- C-06.** Despite the tragic circumstances surrounding the two suicides and one fatal heart attack in the main jail facility within the last eight months, all were unavoidable since the individuals who committed suicide were determined to carry it out yet were not identified by deputies working in custody or by CFMG staff during their booking process as potential suicide risks. The victim of the fatal heart attack had just arrived at the jail and had not yet undergone medical and mental health screening during booking at the time of the attack and could not be revived despite all efforts, according to Grand Jury review of articles and reports as well as discussions with VCSD and CFMG personnel. (F-04)
- C-07.** Because the main jail and Todd Road jail have around-the-clock medical staffing by CFMG, there is no need for VCSD personnel to provide any medical service to inmates as is the practice in other counties' facilities within the state. It is noted, however, that several deputies and sergeants working in the Custody Division have emergency medical technician certification and ongoing training, which would be most helpful in extreme exigent circumstances within the jail facilities. Those jail facilities within the County of Ventura (East Valley, sheriff's contract cities and other cities) have a policy when encountering medically or mentally ill individuals at the time of arrest, of not booking them into these jails, but rather transporting the inmate either to the main jail, VCMC or to the nearest emergency medical facility. (F-07)

## Recommendations

- R-01.** Currently the East Valley jail operates only from 9:00 p.m. to 4:00 a.m. daily and has no medical staff because of budget constraints. Should the need arise to operate this facility again on a 24 hour basis, the contract between CFMG and the VCSD should be modified in order to provide the needed medical staff as found at the main jail and at the Todd Road jail.

## Commendations

Over the last nine months this Grand Jury visited four state prisons, two federal prisons and the Los Angeles County Men's Central Jail and inspected the medical facilities and treatment availability at each place. The services available within the Ventura County jail system appear to be far superior to the others encountered.