



County of Orange
California

Thomas G. Mauk
County Executive Officer

November 4, 2008

Honorable Nancy Wieben Stock
Presiding Judge of the Superior Court of California
700 Civic Center Drive West
Santa Ana, CA 92702

Subject: Response to Orange County Grand Jury Report, "Man Down!!!
Will He Get Up? Nursing Care at Orange County's Jail
Facilities"

Dear Judge Stock:

Per your request, and in accordance with Penal Code 933, enclosed please find the County of Orange response to the subject report as approved by the Board of Supervisors. If you have any questions, please contact Theresa Stanberry at (714) 834-3727 in the County Executive Office who will either assist you or direct you to the appropriate individual.

Very truly yours,

Thomas G. Mauk
County Executive Officer

cc: Ann Avery Andres, Grand Jury Foreperson

Enclosure

TGM/tts

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2007-08 Grand Jury Report
“Man Down!! Will He Get Up?”
Response to Findings and Recommendations

Before responding to the findings and recommendations in the Grand Jury report, the Health Care Agency (HCA) would like to comment on a statement in the report summary. The report states “...staffing shortages and cuts in budgets have created an environment where good nurses are burning out or quitting” This statement leaves the impression that there is widespread excessive turnover among the nursing staff in Correctional Medical Services (CMS).

The actual turnover rate for Correctional Care Nurse positions from September 2004 to September 2007 was 16.67%. The Hospital Association of Southern California advises that the turnover rate for registered nurses in Southern California hospitals is 15.1%. Thus, the turnover rate for CMS nurses is only slightly higher than for registered nurses generally in Southern California hospitals.

Response to Findings

F-1 Quality Medical Services: The nursing and executive staffs of Correctional Medical Services interviewed are highly professional, competent and dedicated to providing a high level of medical service to the inmates housed in Orange County jail facilities.

Response: Agree with the Finding

F-2 Staffing Levels: Staffing levels for Correctional Medical Services are inadequate, particularly at Senior Nurse levels, leading to low morale and complaints about lack of communication.

Response: Disagree partially with the finding

HCA does not agree with the blanket statement that all staffing levels are inadequate. Correctional Medical Services (CMS) is in the process of reviewing nurse staffing, which has been an area of particular concern. CMS is in the final stages of hiring a Director of Nursing, who will be directed to focus immediately on nurse staffing levels as a high priority. A report recently received from a nursing consultant will assist in this effort. Currently, all nine Senior Comprehensive Care Nurse positions are filled.

F-3 Background Checks: Background checks for new nursing employees are over-burdensome and take too long to complete, resulting in fewer applicants and a high drop-out rate for those who have applied.

Response: Disagree partially with the finding.

We do not agree with the statement that the background check process is “over-burdensome.” The nature and extent of background checking is determined by the Sheriff-Coroner, who determines the requirements necessary to maintain security within

the jail system. The length of time needed to conduct background checks, however, does result in some nurse candidates accepting other job offers that allow them to begin a new job sooner. This factor can have a significant impact on recruitment considering the competitive employment market for nurses. The Health Care Agency will continue to work with the Sheriff's Department toward the goal of reducing the current processing time.

- F-4** **Recruitment:** Current outreach programs to recruit nurses focus primarily on local schools and fail to reach out to all nursing schools in Southern California; programs for student interns are inadequate and could be expanded to provide a deeper pool for future recruits.

Response: *Disagree partially with the finding.*

While we do not agree that the current internship programs are inadequate, we do agree that careful expansion would be desirable and that we will add more student nurses to the extent that we are able to integrate them effectively into the CMS nursing program.

The nursing student intern program was only recently established, with the first students being accepted into the program in spring 2007. The program is already showing some initial success. CMS was recently able to hire the first nurse as a result of the program. There is a limit to the number of student interns that can be properly supervised while maintaining the quality of direct nursing care provided to inmates in the jails. Appropriate clinical supervision is not only necessary for quality medical care, it is also a requirement of all nursing programs placing interns. Accordingly, great care needs to be exercised in expanding the program.

- F-5** **Training:** On-going training for nursing staff is insufficient; few hands-on drills or mock emergency scenarios are presently offered.

Response: *Disagree wholly with the finding.*

Correctional Medical Services hired a clinical nurse educator in February 2008 to develop and provide on-going training opportunities. The staging of regular emergency medical drills within each of the jails was initiated in the fall of 2007 and is ongoing. Correctional Medical Services has also conducted skills fairs to ensure staff competence in key skill areas and to provide additional avenues for training.

Licensed health care professionals working for Correctional Medical Services have numerous other opportunities for training and development. Under the current County Healthcare Professional Unit Memorandum of Understanding (MOU), CMS staff members can request up to five paid professional conference days per fiscal year to use for attendance at job related professional conferences of their choice or to conduct professional study. In addition, healthcare professionals may request paid time off for up to 30 hours of continuing education every two years in order to earn Continuing Education Units (CEUs) necessary to maintain their professional standards.

F-6 **Computer Programs:** Some computer programs are outdated or non-existent and new programs and training for nurses are needed.

Response: *Agree with the finding.*

The CMS electronic medical record system, referred to as "CHART," is 14 years old and needs to be replaced with a fully integrated system. This will be a multi-year project with the first step being securing a consultant to evaluate information technology needs within Correctional Medical Services. Due to the County's fiscal constraints, funds have not yet been allocated for the acquisition and implementation of a replacement system. Until a new, comprehensive system can be put in place, interim information technology improvements are being explored to deal with the most pressing needs. This will include evaluation of technology for the scanning of medical records.

F-7a **Communications:** The present system for communication between nurses and supply room personnel is inadequate and frequently nonfunctional.

Response: *Disagree partially with the finding.*

A number of different channels exist for communication between clinical staff and supply personnel, but they are not being used consistently. This results in better communication at some facilities than at others. For example, the Grand Jury's report noted that the supply system at Theo Lacy is efficient and responsive. Correctional Medical Services has secured the services of two consultants in this area and is in the process of updating Policies and Procedures to ensure that an efficient system is in place at all locations.

F-7b **Bar-coding:** Medical supply areas do not have computerized bar-code inventory control system.

Response: *Agree with the finding.*

HCA agrees that a bar-code inventory system would be desirable but is not in place at this time.

Response to Recommendations

R-1 Quality Medical Services: The nursing and executive staffs of Correctional Medical Services continue to provide professional, competent and dedicated quality medical service to the inmates housed in Orange County Jail Facilities.

Response: *The recommendation has been implemented.*

A number of efforts are underway to ensure the quality of medical services provided to jail inmates remains high, including the recruitment of a Director of Nursing, the hiring of a clinical nurse educator, providing for additional staff training and education opportunities, and the conducting of unannounced emergency drills. An additional effort in this direction currently under development is the establishment of an Institutional Health Services Quality Assurance Board to provide peer review of medical care provided in the jails.

R-2a Staffing Levels: Levels of Senior Nurse staffing be increased to those of 2001/2002, an increase of at least eight additional positions.

Response: *The recommendation requires further analysis.*

Currently, all nine Senior Comprehensive Care Nurse positions are filled. Senior Comprehensive Care Nurse staffing levels will be reassessed in light of the findings of an assessment by the new Director of Nursing. A report recently received from a nursing consultant will also assist in this effort. An interim decision on Senior Nurse staffing levels is anticipated by November 1, 2008.

R-2b Staffing Levels: An outside consultant be hired to determine if present staffing levels in all areas are adequate for providing good medical care, and to analyze and potentially recommend the reorganization of "classification duties" for Senior Comprehensive Care Nurses and Supervising Comprehensive Care Nurses.

Response: *The recommendation requires further analysis.*

The Health Care Agency will conduct a review of nursing staffing levels in Correctional Medical Services, including an analysis of the duties of Senior Comprehensive Nurses and Supervising Comprehensive Care Nurses. This review will determine gaps between existing staffing and the staffing needed to achieve Accreditation by the Institute for Medical Quality. Any additional needs will be prioritized. The review will be completed and transmitted to the Chief Executive Officer by November 1, 2008.

R-2c Nursing Staff Communication: Develop a system in conjunction with nursing personnel from all levels to allow better communication between on-duty nursing staff and nursing administrators.

Response: *The recommendation has been implemented.*

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A CMS newsletter is published monthly to provide updated information to all staff. It is distributed electronically and in hard copy. A daily Nursing Report has been developed to provide information on any operational issues to all shifts. This report also identifies any equipment or supply issues that need follow-up.

In addition, CMS staff now has access to e-mail and a shared network drive to reference information of common interest, including work schedules and minutes from staff meetings, which are to be held monthly in each facility. Further, supervisors conduct regular rounds of the facilities and radio communication is available to reach supervisors.

Other steps to improve communication will include appointment of a Director of Nursing and a review and possible revision of the nursing organizational structure.

R-2d Nursing Manager: The position of full-time Correctional Medical Services Nursing Manager be re-instated.

Response: *The recommendation has been implemented.*

The position of Correctional Medical Services Director of Nursing has been created and the Health Care Agency is in the final stages of recruitment for the position.

R-3 Background Checks: Health Care and Orange County Sheriff representatives develop an expedited and streamlined process for checking backgrounds for nursing applicants.

Response: *The recommendation has been implemented.*

The Health Care Agency has met with staff from the Sheriff's Department Professional Standards Division four times in the past year to work on streamlining the process. These meetings have resulted in changes to the review process and improved communication between CMS staff and staff from the Professional Standards Division. Some examples are: (1) CMS recruiting staff now have a clearer understanding of the circumstances that may be an issue during the background process; (2) improvements have been made to the form used to initiate background clearance, and; (3) an electronic notification process has been implemented when candidates have cleared the background process.

CMS staff will continue to meet with Sheriff's Department representatives to analyze and improve the background process.

R-4a Recruitment: Recruitment programs be expanded to seek qualified nurses from all Southern California area schools.

Response: *The recommendation has been implemented.*

Recruitment efforts were greatly expanded beginning in the spring of 2008. HCA representatives are currently attending more job fairs and on-campus outreach activities. In addition, a regular media-advertising schedule is in place for the next year. HCA has also dedicated one staff person to CMS recruitment and new employee orientation.

- R-4b Internships:** More intern programs be developed to provide academic credit and work experience for nursing students and to serve as a pool for future employees.

Response: *The recommendation will not be implemented because it is not warranted or is not reasonable.*

The number of students that can be properly supervised is limited and will be assessed on an on-going basis. Emphasis is placed on providing student interns with a meaningful learning experience while maintaining the quality of nursing care and staff security. As a result, there is a definite limit on the total number of students that can be accommodated while maintaining appropriate clinical supervision. This limitation must consider the need to provide appropriate clinical supervision and oversight for new regular employees who are participating in their six-month orientation program.

CMS will, however, expand the existing student nurse intern program to the extent that it can be appropriately accomplished.

- R-5 Training:** Additional regularly scheduled and mandated training programs be developed for all nursing staff with an emphasis on unannounced mock drills.

Response: *The recommendation has been implemented.*

CMS now conducts unannounced emergency medical drills monthly at all jail facilities. CMS has also developed additional training programs for nursing staff and these training offerings have been enhanced through the recently added clinical nurse educator position.

- R-6 Computer Programs:** Up to date computer programs be purchased and training provided to allow better patient charting and communication between nurses and supervisors.

Response: *The recommendation has not yet been implemented, but will be implemented in the future.*

The Health Care Agency agrees with the need to acquire an integrated system to replace the existing "CHART" system. This will be a multi-year project. The first step will be to secure a consultant to determine information technology needs within Correctional Medical Services – this step will be completed within the current fiscal year. The next step will be a Request for Proposals to acquire and install the IT system. Necessary additional funding for the replacement system will be requested in future budgets.