



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Sheriff and Probation
Department No.: 032 and 022
For Agenda Of: February 16, 2016
Placement: Departmental
Estimated Time: 30
Continued Item: Yes
If Yes, date from: September 8, 2015
Vote Required: Majority

TO: Board of Supervisors
FROM: From: Bill Brown, Sheriff & Guadalupe Rabago, Chief Probation Officer
Contact Info: Custody Commander Kelly Hamilton, 681-4326, & Deputy Chief Probation Officer Lee Bethel, 882-3675
SUBJECT: Sheriff's and Probation's Healthcare Services Vendor Request for Proposals and Sheriff's Grievance Oversight Coordinator Updates.

County Counsel Concurrence

As to form: Yes

Other Concurrence:

As to form: N/A

Auditor-Controller Concurrence

As to form: Yes

Recommended Actions:

That the Board of Supervisors considers recommendations as follows:

- a) The Board of Supervisors receives a report on the status of the selection for a consultant regarding the Request for Proposal (RFP) of healthcare services for Probation and the Sheriff's Office.
- b) Receive a report on the overview of the Grievance Oversight Coordinator position for the Sheriff's Office.
- c) Determine that the above actions are government fiscal activities or funding mechanisms which do not involve any commitment to any specific project which may result in a potentially significant impact on the environment, and are therefore not a project under the California Environmental Quality Act (CEQA) pursuant to section 15378(b)(4) of the CEQA guidelines.

Summary Text:

On September 8, 2015, the Board requested that the Probation Department and Sheriff's Office conduct a Request for Proposal (RFP) for a healthcare services vendor. Additionally, the Board requested that the Departments obtain the services of a consulting firm to assist with the healthcare service RFP for the juvenile and adult facilities. The Board also asked that the Sheriff's Office develop a Grievance Oversight Coordinator (GOC), the cost for which would be split equally between the Sheriff's Budget and the current healthcare provider (Corizon). (Ref. 15-00523).

The Sheriff and Probation Office recommend contracting with Health Management Associates (HMA) to assess our operation and assist in the development of the healthcare service RFP and assist with the rating process. The CEO is recommending that the cost be absorbed 75% by the Sheriff and 25% by Probation. This allocation is recommended based on the relative populations and anticipated benefits to each department. Both departments are projecting adequate year end savings to fund this RFP. If savings are less than projected and insufficient to absorb these consultant costs, the CEO's office will work with those departments prior to year end to identify funding and propose the appropriate budget revision.

Additionally, the Sheriff's Office developed a GOC Protocol and selected a qualified person to fill this role on a part time basis. This position will work in conjunction with the jail's existing Ombudsman Program and will utilize a comprehensive and transparent grievance process. The Ombudsman Program provides oversight by the local American Civil Liberties Union (ACLU), allowing an inmate to bring a complaint to a third party that is unaffiliated with the Sheriff's Office

Background:

Healthcare Services RFP Process:

A committee was formed to develop and plan for the adult and juvenile inmate healthcare services vendor RFP with the goal of achieving National Commission on Correctional Health Care Accreditation. The committee consisted of representatives from Probation, Sheriff, County Counsel and County Executive's Office. After several meetings, a determination was made to develop a Request for Quotation (RFQ) (see attachment a) for the selection of a consultant with expertise in correctional healthcare services. The RFQ identified the following three deliverables:

- (1) Assessment of current staffing and service levels;
- (2) RFP for Medical and Behavioral Health Care at the local correctional detention facilities; and
- (3) Rating of RFP responses.

We received 5 responses to our RFQ, which were rated by each member of the committee. We used several criteria to determine who could best fulfill the requirements of the RFQ. Those criteria were as follows:

1. Response to the RFQ;
2. Knowledge of California guidelines, regulations, and laws related to correctional facilities;
3. Knowledge or understanding of National Commission on Correctional Health Care Accreditation;
4. Qualified and identified staff for the RFP process; and
5. Experience with writing RFP's.

The committee reviewed each response and concluded that the proposal submitted by Health Management Associates (HMA) (see attachment b) was the most qualified in guiding us through the RFP process. HMA submitted a timeline that projects a process that should be completed within 6 months of the kick-off meeting. Given their projected timeline, we are confident we will be able to enter into a service contract and complete the RFP process prior to the conclusion of the current healthcare services contract with Corizon.

Grievance Oversight Coordinator

Your Board directed the Sheriff's Office to develop and implement a Grievance Oversight Coordinator. The purpose of the position is to provide oversight to the jail's medical grievance process. In preparation for identifying the duties for this position, research was conducted using our statewide e-mail "listserve" to see if other counties in California employed someone meeting this description. Through our search, we determined no other California county has such a position. Furthermore, a thorough review of the American Correctional Association's standards for correctional facilities yielded no such standards for the selection and operation of such a position. We were able to find some references to GOC positions within some prison systems throughout the country. However, these were all positions that processed grievances in much larger institutions. Accordingly, we developed a pilot program for Santa Barbara County. Sheriff's Staff developed a list of duties, procedures and protocols (see attachment c).

The newly created GOC position will compliment and work in conjunction with our current grievance policy (see attachment d) as it relates to complaints associated with medical and mental health services. The existing policy allows an inmate to file a grievance related to his or her conditions, restrictions or nature of confinement. All grievances are reviewed for appropriate response/action by the responsible Custody Lieutenant. If the inmate does not find the response or action taken acceptable, he or she has the ability to appeal the response, via chain of command, to the Custody Chief Deputy.

The mission of the GOC, as part of this process, is to review each medical related grievance and/or appeal to ensure that the responses address the primary issues of concern and provides the appropriate resolution for the grieving party. The GOC will ensure that all grievances are addressed appropriately and in a timely fashion. The GOC will review all grievances on a weekly basis. The GOC will file monthly reports with the Sheriff's Office which will be submitted annually to the Board of Supervisors (see attachment e). The GOC will attend the appropriate board meetings and be available to answer any questions the Board may have.

After exhausting all of the levels of appeals within the grievance process, which includes the oversight provided by the GOC, an inmate can seek an additional course of action by going through the jail's Ombudsman Program. The Ombudsman Program, which provides oversight by the local American Civil Liberties Union (ACLU), allows an inmate to bring a complaint to a third party that is unaffiliated with the Sheriff's Office. The inmate places a request to be seen via an inmate request slip, which is then forwarded to the Administrative Custody Deputy.

Every Thursday, barring any exigent circumstance, the Ombudsman (ACLU) representatives come to the jail to meet with the Administrative Custody Deputy. This Custody Deputy provides them with all of the requests collected for the week and arrangements are made to have the inmate(s) removed from their housing unit for one-on-one visits. At the completion of the visit, issues identified by the Ombudsman that are deemed "critical" are immediately brought to the attention of the Administrative Custody Sergeant. The Administrative Custody Sergeant takes immediate corrective action to address the issue and relay the action that was taken to the Ombudsman. For all non-critical issues, the Ombudsmen staff will send a "visit summary" report to SBSO within two (2) business days of a visit. SBSO personnel must respond back within fourteen (14) days upon receipt of the summary.

Retired Custody Lieutenant Mark Mahurin has a keen understanding of the jail, inmates, in-custody medical issues and grievance procedures. He also has strong interpersonal skills that will allow him to work collaboratively with the ACLU Ombudsman. Accordingly, he has been selected to fill this role.

Fiscal and Facilities Impacts: Health Management Associates has submitted an estimate for consultation services for \$99,000. This cost will be shared 75% to the Sheriff’s Department (\$74,250) and 25% to the Probation Department (\$24,750).

Fiscal Analysis:

Narrative:

The following chart reflects the cost associated with the Grievance Oversight Coordinator. The Sheriff’s Office and Corizon have previously agreed to absorb the cost of this position.

Custody Lieutenant, EXH per hour	56.23			
Plus Medicare tax(1.5%)	0.84			
Total Cost per hour	<u>57.07</u>			
			Cost per	Cost per
Hours per pay period	8.00		Quarter	Year
Total cost per pay period	456.59		2,967.82	11,871.28
	Sheriff's Share		1,483.91	5,935.64
	Corizon's Share		1,483.91	5,935.64

Staffing Impacts:

Legal Positions:
N/A

FTEs:
N/A

Attachments:

- a) Request for Quotations for Healthcare Services
- b) Health Management Associates Proposal
- c) Grievance Oversight Coordinator Procedures and Protocols
- d) Santa Barbara County Sheriff’s Office, Custody Operations, - Policy and Procedures Manual, 361. Grievance Procedures
- e) Grievance Oversight Monthly Reports (samples)

Authored by:

Kelly Hamilton, Custody Commander

cc: