

MEDICAL CREDENTIALS OF INMATE HEALTH CARE PROVIDERS

SUMMARY

The 2006-2007 San Diego County Grand Jury is mandated by Penal Code § 919 (b) to tour and inspect the County of San Diego's Detention Facilities, operated by the Sheriff and Probation Departments. Because the Jury wanted to ensure that the medical, mental, and dental care provided to inmates is by licensed health care providers, it visited the health care areas of these institutions. This study was neither undertaken nor documented by any previous Grand Jury.

During the visits, the Jury met health care providers in various fields. Names and license numbers of the health care providers attending to the inmates were requested from the San Diego County Sheriff's Department and the County of San Diego Department of Probation.

Detained juveniles are provided health care by the County of San Diego Department of Probation. Health care is provided by medical professionals from a number of County and contract agencies. Specifically, mental health services are provided by County employees through Health and Human Services Agency (HHS) Children's Mental Health, Juvenile Forensic Services. Physical health and dental services are provided through an HHS contract with California Forensic Medical Group (CFMG) and the responsible dietician is an employee of the Sheriff's Department.

Results of this inquiry are positive in the sense that the people working the job are qualified and dedicated. However, record keeping and record updates varied between the groups examined. There are standards that should be followed. This report has some recommendations on how the current process could be improved.

PURPOSE

To verify that the medical, mental and dental care services for the inmate population within the San Diego County are provided by health care personnel who have proper credentials and are fully licensed by their respective licensing agencies. Two groups were evaluated:

- **Services provided at the facilities operated by the Sheriff's Department**
- **Services provided at the facilities operated by the Probation Department**

PROCEDURES

Documents:

Reviewed lists of names and license numbers provided by the two operating agencies and compared that information with data available from public websites. (Web sources are listed in Appendix)

Visits:

The Grand Jury visited the San Diego County Sheriff's and Probation Department's jails/detention facilities. For this study, observations of the medical, mental and dental units and discussion with medical personnel took place at:

San Diego County Sheriff's Department

- *Descanso Detention Facility*
- *East Mesa Detention Facility*
- *George F. Bailey Detention Facility*
- *Las Colinas Women's Detention Facility*
- *San Diego Central Jail*
- *South Bay Detention Facility*
- *Vista Detention Facility*

County of San Diego Probation Department

- *Camp Barrett*
- *East Mesa Juvenile Hall*
- *Girls Rehabilitation Facility*
- *Juvenile Ranch Facility*
- *Kearny Mesa Juvenile Hall*

Interviews:

- Medical Division of the San Diego County Sheriff's Department
- County of San Diego Probation Department
- County of San Diego Health and Human Services Agency (HHS) and its contract providers.

DISCUSSION

For years, the quality of medical care provided by the Sheriff's department and its contractors at Detention Facilities has been questioned. One of the main focuses of this study is to ensure that health care professionals, who administer care to inmates, have the proper credentials and are currently licensed, but also that a system exists to assure the accuracy of those documents, and that they have been primary source verified.

The Grand Jury sought to determine if this was indeed being done. A folder where copies of licenses are kept is not sufficient. Copies can be altered. Although this is rare among professionals, it can occur.

FACTS AND FINDINGS

Related to Services provided at the facilities operated by the Sheriff's Department

Fact: A list of license numbers for all four dental providers was sent to the Grand Jury.

Fact: Dental care is provided by a group of contracted professionals who provide services for San Diego County's Detention Facilities, operated by the Sheriff's Department. Among the dental providers of their professional corporation is a licensed oral and maxillofacial surgeon. California dental licenses submitted by the contractor for all four dental providers were verified with the Dental Board of California. All four provider's licenses were renewed and current and none had any disciplinary actions taken by their respective licensing boards.

Fact: Inmate psychiatric services are provided by "Psychiatric Centers at San Diego" (PCSD). A list of license numbers for all 22 providers (psychiatrists/psychologists) was sent to the Grand Jury.

Fact: The contracted psychiatrists/psychologists who work at the County jails/detention facilities are overseen by a seven-member PCSD Board of Directors. All members of the board are fully licensed by the Medical Board of California. Most are Board Certified by the American Board of Psychiatry and Neurology. In addition, this professional corporation has among its various offices, Credentialing and Quality Management Improvement Divisions. Their director is a licensed medical doctor. A medical staff credentialing manager oversees the day to day credentialing operations and maintains and updates the credentials files of all of their providers. This organization meets the requirements of the credentialing and re-credentialing standards established by the National Committee for Quality Assurance (NCQA). The California Medical Association awarded PCSD with continuing medical education (CME) certification which allowed PCSD to provide their clinicians, free of charge, opportunities to fulfill their annual CME requirements by taking advantage of the in-house events offered by PCSD's education

department. These contract providers work on a part-time basis. On average a clinician works in the jails 52 hours per month. All but one of the 22 providers has private practices in the community. One full time psychiatrist's primary responsibility is at various jail/detention facilities in the County.

Finding: The listing of license numbers with expiration dates of all 22 providers were verified by the Grand Jury with the Medical Board of California and the California Board of Psychologists.

Finding: All 22 licenses were renewed and current with no disciplinary actions taken by other State or Federal Government agencies, as reported by their respective licensing boards. In addition, most providers are Board Certified.

Finding: The Grand Jury visited the local PCSD corporate office and reviewed approximately 12 health care provider's credentials files as well as the corporate credentialing policies and procedures manual. Each file contained all the requirements as set forth by both NCQA and Joint Commission on Accreditation of Healthcare Organizations (JCAHO) standards, and each document was primary source verified by PCSD with the original issuer of that credential certificate.

Fact: Routine medical care is provided 24 hours per day, seven days per week, within the jail/detention facilities. Inmates requiring more extensive medical care are transferred to UCSD Medical Center which is under contract to the County and where there are 51 physicians available to provide treatment.

Fact: The contract between UCSD and the County of San Diego has been in place for 40 years.

Fact: The number of hours worked by each physician assigned to the jail/detention facilities is approximately 13 hours in any given week.

Fact: A list containing 51 names and license numbers with expiration dates for the UCSD physicians was submitted to the Grand Jury. The specialties and subspecialties of these 51 physicians were impressive. They include the following:

- Internal Medicine
- Pulmonary/Critical Care
- Cardiology
- Emergency Medicine
- Family Practice
- Endocrinology
- Nephrology
- Reproductive Medicine

- Orthopedics
- Gastroenterology
- Hospitalist

Fact: All 51 physician's licenses verified with the Medical Board of California. All licenses were renewed and current.

Finding: Initial verification by the Grand Jury at the public disclosure website of the Medical Board of California revealed one record of disciplinary action taken. A letter was sent to the Medical Board of California requesting a copy of the original accusation and final administrative disciplinary action. After review, the information was submitted to the Medical Director of the San Diego County Sheriff's Department. The physician in question had met all the requirements of the Medical Board of California and had completed probation.

Fact: In September 2006, a list of names and license numbers of medical personnel assigned to the Sheriff's Department was provided to the Grand Jury by the Assistant Administrator of the Medical Services Division.

Fact: 152 Registered Nurses' (RN) (Sheriff's Detention Nurses) licenses were verified with the Registered Nursing Board of California.

Finding: All 152 Registered Nurses' licenses were renewed and current. No Licensing Board disciplinary actions were indicated on any license.

Fact: Thirty-six Licensed Vocational Nurse (LVN) licenses were verified with the Board of Vocational Nursing and Psychiatric Technicians.

Finding: All 36 LVN licenses were renewed and current. No Licensing Board disciplinary actions were indicated on any license.

Fact: All three Registered Pharmacist (RP) licenses were verified with the California State Board of Pharmacy.

Fact: All four Pharmacy Technician's licenses were verified with the Board of Pharmacy.

Finding: At the time of the initial verification, at the public disclosure website, one record revealed disciplinary action taken on a Registered Pharmacist's license.

Fact: A letter was sent to the California State Board of Pharmacy requesting a copy of the original accusation and final administrative disciplinary action.

Finding: The Registered Pharmacist in question is currently on probation with the California State Board of Pharmacy.

Fact: The Sheriff's Medical Division has a full time Medical Director, Director for Nursing Services, Chief Medical Records Director, and Assistant Medical Services Administrator, who oversee the day to day operations of the Medical Division.

Finding: The Sheriff's Medical Division is well organized with respect to medical personnel who oversee the various County jails/detention facilities.

Fact: The Sheriff's Medical Division is also the primary site where all pharmacy supplies are initially received from various pharmaceutical companies under contract with the County and where prescriptions are filled.

Fact: There are two full-time registered pharmacists who are County employees and work on the premises. One contract registered pharmacist works at the Medical Division and at home, verifying medication orders for individual inmates in the seven detention facilities, using an off-site computer system remotely connected to the Jail Information Management System (JIMS). Currently only three pharmacy technicians assist the registered pharmacists and are responsible for delivery of medical supplies to jails/detention facilities within the county.

Relating to services provided at the facilities operated by the Probation Department

Fact: The County of San Diego, Department of Probation has a contract for physical health and dental services provided through an HHS contract with California Forensic Medical Group (CFMG). This is a privately owned, West Coast provider of quality health care to correctional facilities. CFMG's programs are accredited through the California Medical Association (CMA). Their president and medical director are board certified in psychiatry.

Fact: Mental Health services are provided by County employees through Health and Human Services Agency (HHS) Children's Mental Health, and Juvenile Forensic Services.

Fact: The responsible dietician is an employee of the Sheriff's Department and is located at the East Mesa Juvenile Detention Facility.

Fact: All agencies and individuals identified above have submitted the requested licensure information through the County of San Diego Department of Probation.

Finding: All 32 CFMG Registered Nurse (RN) licenses were verified with the Registered Nursing Board of California. All 32 licenses were renewed and current. No Licensing Board disciplinary actions were indicated on any license.

Fact: All 24 Licensed Vocational Nurse (LVN) licenses were verified with the Board of Vocational Nursing and Psychiatric Technicians and all 24 licenses were renewed and current.

Fact: One license had previous action taken by the Licensing Board. A copy of the accusation and final administrative disciplinary action was requested. After review, the information was discussed with the medical quality assurance coordinator. The coordinator was aware of the disciplinary action. The LVN in question had met all the requirements of the Board and completed probation three years ago.

Fact: Five medical provider licenses were verified with the Medical Board of California. All their licenses were renewed and current with no disciplinary actions. Most of these physicians are credentialed and privileged through Rady Children's Hospital and Medical Center, which is accredited by the Joint Commission on Accreditation of Healthcare Organization (JCAHO).

Fact: One dental provider was identified. This provider's license was verified with the Dental Board of California and is renewed and current with no disciplinary action.

Fact: There are five Physician Assistants (PA) and one Family Nurse Practitioner (FNP). All licenses were verified with their respective boards and were renewed and current with no disciplinary action.

Fact: There is one dental assistant. This provider's license was verified and was renewed and current with no disciplinary action.

Fact: In October 2006, a listing of health care providers' information, name and license numbers was submitted to the Grand Jury. At that time, a list of nine providers was submitted, identified as "Juvenile Forensic Services – Crisis Team at the East Mesa Juvenile Detention Facility."

Finding: The Grand Jury verified three physician's licenses with the Medical Board of California. At the time of initial verification at the public disclosure website, one record revealed disciplinary action taken. A letter was sent to the Medical Board of California requesting a copy of the original accusation and final administrative disciplinary action. The physician in question had met the requirements of the Medical Board of California and had completed probation.

Finding: One registered nurse's license was verified with the Registered Nursing Board of California. At the time of the initial verification to the board this record revealed disciplinary action taken. A letter was sent to the Registered Nursing Board of California requesting a copy of the original accusation and final administrative disciplinary action. The RN in question had met all the requirements of the Board and completed probation.

Fact: The licenses of two psychologists were verified with the California Board of Psychologists. The licenses were renewed and current with no disciplinary action.

Fact: One Licensed Clinical Social Worker's (LCSW) license was verified with the Board of Behavioral Sciences and the license was renewed and current with no disciplinary action.

RECOMMENDATIONS:

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Sheriff's Department:

- 07-48:** Direct their Medical Director to confirm to the Sheriff that the Credential files of all personnel and organizations supplying health services to the detention facilities are comparable to the standards established by NCQA and JCAHO. This includes county personnel, contractors, subcontractors, and county personnel on loan to the Sheriff, in all health services disciplines requiring licenses or certificates.
- 07-49:** Provide certification on an annual basis to the Board of Supervisors that the health services provided to detention facility inmates in his custody are being provided by individuals and organizations with the proper credentials.
- 07-50:** Require that the Medical Director formalize periodic review of the credential files of the major contractors, such as UCSD or any other relevant organization, and health services subcontractors.
- 07-51:** Direct the Medical Director to obtain Credential Verification Organization Certification from a nationally recognized medical credential specialist such as the National Committee on Quality Assurance (NCQA).

The 2006-2007 San Diego County Grand Jury recommends that the San Diego County Probation Department:

- 07-52:** Provide certification on an annual basis to the Board of Supervisors that the health services provided to detention facility inmates in his custody are being provided by individuals and organizations with the proper credentials.
- 07-53:** Establish Centralized Credentialing for all health care workers, requiring licenses or certificates, which meet standards comparable to the standards established by the National Committee on Quality Assurance (NCQA).

- 07-54:** Obtain Credential Verification Organization certification from a nationally recognized medical credential specialist such as the National Committee on Quality Assurance (NCQA).

COMMENDATIONS

Psychiatric Centers at San Diego (PCSD) is a contractor for the County of San Diego. This contract group mirrors NCQA standards. Their core standards include: Written Policies and Procedures, Internal Continuous Quality Improvement, Verification of Licensure, Verification of DEA, Reporting of Education and Training and Verifying and Reporting of Malpractice History. Members of the Grand Jury, who reviewed all of these standards, were impressed with the accuracy and detail of each provider's credentials files, which contained all these requirements, and all credentials were primary source verified with issuing agency.

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.

- (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
- (c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

<u>Responding Agency</u>	<u>Recommendations</u>	<u>Date</u>
San Diego County Sheriff's Department	07-48 through 07-51	7/16/07
San Diego County Probation Department	07-52 through 07-54	8/15/07

APPENDIX

Web References

<http://www.chsd.org>

<http://www.dbc.ca.gov/verify>

<http://www.web.ncqa.org/>

<http://www.jcaho.org>

<http://www.mbc.gov/verify>

<http://www.abms.org>

<http://www.pharmacy.ca.gov/verify>

<http://www.cfm.com>

<http://www.PsychiatricCenters.com>

<http://www.bvnpt.ca.gov>

<http://www.physicianassistant.ca.gov>

<http://www.rn.ca.gov>