

**COUNTY OF MILWAUKEE**  
INTEROFFICE COMMUNICATION

**DATE:** January 23, 2019

**TO:** Theodore Lipscomb, Sr., Chairman, and Milwaukee County Board of Supervisors

**FROM:** Michael Hafemann, Superintendent, Milwaukee County House of Correction  
*Prepared by Erin Schaffer, Manager-Contracts, DAS-Procurement*

**SUBJECT:** Request for Authority to Enter into a Contract with Wellpath, LLC for Provision of Correctional Medical Services

**REQUEST**

The Milwaukee County House of Correction (HOC) respectfully requests authority to enter into a contract with Wellpath LLC ("Wellpath") for the provision of a comprehensive and cost-effective program of medical, dental, and mental health services, compliant with the National Commission on Correctional Health Care's (NCCHC's) standards and the Christensen Consent Decree, as well as authority to utilize an independent third-party pharmacy through the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) to provide pharmaceuticals, to all inmates housed in the Milwaukee County Jail and House of Correction.

**BACKGROUND**

Background pertaining to the Christensen Consent Decree, Correctional Medical Services Contract, and RFP for Correctional Medical Services may be found in File #5, the October 18, 2018, November 16, 2018, and December 6, 2018 informational reports. Information from those reports is not included in this report.

In 2018, with support from the Department of Administrative Services - Procurement Division, the House of Correction and Milwaukee County Sheriff's Office issued a Request for Proposals for a Correctional Medical Services provider for a new contract for health care services in the Jail and HOC beginning in 2019 (RFP 98180020: Correctional Medical Services). Additional detail regarding the RFP is available in File #5 and was provided to the Judiciary Committee in the October 18, 2018 and November

16, 2018 informational reports, and to the Finance & Audit Committee in the December 6, 2018 informational report.

RFP 98180020: Correctional Medical Services was issued on July 20, 2018.

Several highlights from the RFP include:

- Increased focus on the requirement of NCCHC accreditation (to be achieved within 18 months of contract start), and clear requirements that all care provided to inmate-patients be based on the NCCHC's standards, regardless of the status of accreditation;
- Inclusion of a contract monitor (see related report) to oversee clinical care and fiscal requirements, and to ensure compliance with the contract and RFP terms;
- Inclusion of a cost-sharing requirement for medical and pharmaceutical cost caps, which ensures that any selected health care provider will remain partially responsible for specialty and pharmacy care costs even if a cost cap is exceeded.
- A major overhaul of the staffing methodology, moving from an FTE-based model in the current contract to a care-hours model in the RFP and future contract. This shift, suggested and supported by the Court Monitor, Dr. Shansky, places an emphasis on clinical roles and requires that such roles be staffed 100% of the required hours. This means that 1 RN must be staffed as 40 hours per week of RN care, rather than 38 hours of RN care for an FTE model. Additional staffing modifications include, but are not limited to:
  - o 24 hour/365 day per year mental health coverage at the MCJ, including evening and off-hours coverage by a qualified mental health professional (QMHP) or RN, coverage at intake, and access to on-call psychiatry when the psychiatrist is not on-site;
  - o 7-day a week mental health coverage at the HOC, including on-site response of a QMHP when needed during off-hours;
  - o Inclusion of telemedicine and telepsychiatry to support existing positions;
  - o Limitations on the substitution of staff to ensure that substitutions are made only by higher-credentialed staff (for example, an MD may substitute for an RN, but an LPN may not);
  - o Inclusion of three (3) Wellness Coordinators to serve as patient care liaisons and ombudsmen/women, with a specific focus on high-acuity or vulnerable inmate-patients.
- Separation of the pharmacy services contract from the overall medical services contract, permitting the County to use a third-party, TBE pharmacy (Clinical Solutions, LLC) to provide pharmaceuticals. The separation of this contract from the overall contract allows the County greater control and oversight over pharmacy operations, and permits the use of Minnesota Multistate Contracting

Alliance for Pharmacy (MMCAP) pricing, which is expected to save the County a substantial amount in pharmaceutical costs.

The RFP closed for submissions on September 14, 2018. Following evaluation by an Evaluation Committee comprised of County medical, correctional operations, legal, risk, and fiscal professionals, the Evaluation Committee recommended award of the RFP to Wellpath, LLC.

## **PROPOSED CONTRACT**

Wellpath, LLC is a new entity formed from the combined Correct Care Solutions and Correctional Medical Group Companies. Each subsidiary retains its own operations. Wellpath states its vision as "transform[ing] healthcare through innovative public/private healthcare partnerships" and emphasizes "the importance of putting patients first and providing high-quality care to an often overlooked population."

The proposed contract with Wellpath will include obligations from the following documents:

- The Christensen Consent Decree;
- The RFP and all RFP documents;
- Wellpath's Health Care Staffing Plan/Matrix;
- Wellpath's Proposal in response to the County's RFP; and
- Wellpath's Cost Proposal in response to the County's RFP.

The contract represents more than 1,500 pages of specific obligations, detailing patient care requirements, staffing requirements, accreditation requirements and other standards. Some highlights from the Proposal and new contract include:

- Inclusion of reference to NCCHC standards as an integral part of the contract, rather than as a passive, outside requirement to be met. Standards are now the primary basis for care, and accreditation is a result of improved standards, rather than a minimum bar to be met;
- Identification of specific timeframes and high-priority items (such as health assessments, sick call, priorities of care, refusal documentation, etc) in the contract terms;
- Accreditation requirements:
  - o Wellpath must obtain NCCHC Accreditation within 18 months of entry to the facility, or face fines and penalties.
  - o While some accreditation items are the responsibility of the County (such as custody and facility related requirements), the new contract requires Wellpath to provide a monthly report identifying any and all compliance concerns with NCCHC standards, regardless of whether they are medical or custody related, and additionally requires that the report advise the

County if action is needed by the County, and if so, what actions are necessary to bring the item into compliance.

- Technological improvements:
  - o ERMA – Wellpath's fully-hosted electronic health record system. This system is owned, developed, and operated by Wellpath, with no servers required on-site at the County. It can interface with ProPhoenix, our Jail Management Software, to allow real-time insights to County staff on the status of inmate-patients and improve the intake process.
  - o Requirement that Wellpath contract with and use WISHIN, the Wisconsin Statewide Health Information Network, to ensure continuity of care upon an inmate-patient's release from the facilities;
  - o Requirement that Wellpath interface with Clinical Solutions, the third-party pharmacy provider, through a bi-directional interface. Wellpath already works with Clinical Solutions at other facilities and has a functional interface with Clinical Solutions' systems ready;
  - o Use of the Patient Activity Monitoring Management application (PAMM), an advanced patient monitoring system that uses computer tablets and the application to better document wellness checks, segregation rounds, patient observations, and other cell-side treatments. PAMM will increase auditability of Wellpath's actions and substantially reduce concerns about falsification or inaccuracy of records by making real-time updates to ERMA through Wi-Fi. Pictures of patients are captured at the time of treatment for additional auditability, and PAMM data will be made available through a performance dashboard to allow facility administration to have real-time access to the data.
- Staffing requirements as stated in the RFP, including related penalties for failure to meet staffing requirements;
- Improved reporting requirements and amendment requirements, allowing County greater control over the type and timing of reports and ensuring that all requests made by the Court Monitor are reviewed and approved by facility administration; and
- Improved insurance requirements, designed to cover the County in the case of emergency or lawsuit.

A copy of the proposed contract is attached for your review. You have been presented with three (3) options for award of this contract:

- A 5-year contract with one (1) optional five (5) year renewal (this option tracks to the request made in the RFP);
- A 2-year contract with eight (8) optional one (1) year renewals; and
- A 1-year contract with nine (9) optional one (1) year renewals.

The prices for each option are listed below.

The contract awarded is for a period of five (5) years, with one (1) optional five (5) year renewal period. The total cost of these services is as follows:

Year	Cost
One	\$19,380,180
Two	\$19,961,580
Three	\$20,560,428
Four	\$21,177,252
Five	\$21,812,568
<b>TOTAL:</b>	<b>\$102,892,008</b>

If the contract is awarded for a two (2) year term, with eight (8) optional one (1) year renewals, the costs for the first five years for that option are as follows. The item in green represents the total increase in cost of this option over the original term as presented in the RFP (5 years).

Year	Cost
One	\$19,573,982
Two	\$20,161,201
Three	\$20,766,037
Four	\$21,389,018
Five	\$22,030,689
<b>TOTAL:</b>	<b>\$103,920,927 (+\$1,028,919)</b>

If the contract is awarded for a one (1) year term, with nine (9) optional one (1) year renewals, the costs for the first five years for that option are as follows. The item in green represents the total increase in cost of this option over the original term as presented in the RFP (5 years).

Year	Cost
One	\$20,170,784
Two	\$20,360,817
Three	\$20,971,642
Four	\$21,600,791
Five	\$22,248,815
<b>TOTAL:</b>	<b>\$105,360,813 (+\$2,468,805)</b>

In addition to the costs above, the County will pay \$750,000 a year directly toward pharmacy costs, and will engage an independent, third-party TBE pharmacy provider (Clinical Solutions) that is part of the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP). Once the \$750,000 cap is exceeded, Wellpath will be responsible for 75% of all additional pharmacy costs (if any) and the County will be responsible for the remaining 25% of additional pharmacy costs (if any).

## **RECOMMENDATION**

The Superintendent of the Milwaukee County House of Correction respectfully submits this action item to request authority to enter into a contract with Wellpath, **LLC** ("Wellpath") for the provision of a comprehensive and cost-effective program of medical, dental, and mental health services, compliant with the National Commission on Correctional Health Care's (NCCHC's) standards and the Christensen Consent Decree, as well as authority to utilize an independent third-party pharmacy through the Minnesota Multistate Contracting Alliance for Pharmacy (MMCAP) to provide pharmaceuticals, to all inmates housed in the Milwaukee County Jail and House of Correction.

## **FISCAL IMPACT**

A fiscal note form is attached.

Approved by:



Michael Hafemann, Superintendent  
Milwaukee County House of Correction

cc: County Executive Chris Abele  
Raisa Koltun, Chief of Staff  
Kelly Bablitch, Chief of Staff, County Board of Supervisors  
Teig Whaley-Smith, Director, Department of Administrative Services  
Michael Hafemann, Superintendent, House of Correction  
Earnell Lucas, Sheriff, Sheriff's Office  
Kerri McKenzie, Assistant Superintendent, House of Correction  
Aaron Dobson, MCJ Commander, Sheriff's Office  
June Jackson, Fiscal Operations Manager, House of Correction