

1 Supervisor James “Luigi” Schmitt, Chairperson,
2 By the Committee on Finance and Audit reporting on:

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4 File No. 18-898

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6 A resolution by the Committee on Finance and Audit, relating to an informational update
7 regarding the status of the correctional medical services contract with Armor
8 Correctional Health Services, Inc., and the related Request for Proposals for the
9 provision of medical services in the Milwaukee County Jail and the House of Correction
10 and requesting a report on the feasibility of Milwaukee County directly providing inmate
11 medical health services, by recommending adoption of the following:

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13 **AN ENGROSSED RESOLUTION**

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15 WHEREAS, at its meeting on December 6, 2018, the Committee on Finance and
16 Audit reviewed an informational report from the Director of the Procurement Division,
17 Department of Administrative Services (DAS), regarding the status of the correctional
18 medical services contract with Armor Correctional Health Services, Inc. (Armor); and
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20 WHEREAS, the Milwaukee County Board of Supervisors (County Board) rejected
21 the County Executive’s proposal in the 2012 Recommended Budget to outsource
22 inmate medical services to Armor and instead have it managed by another department;
23 and
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25 WHEREAS, in May 2013, a court ordered Milwaukee County (the County) to
26 enter into a contract with Armor to satisfy the Christensen Consent Decree; and
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28 WHEREAS, the County Board Chairman requested an audit of Armor in
29 November of 2016, which led to the determination, among other things, that during the
30 22-month review period Armor never achieved the minimum staffing levels required in
31 the agreement; and
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33 WHEREAS, the contract with Armor for inmate medical services (including
34 medical, dental, and mental health services) will expire on December 31, 2018; and
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36 WHEREAS, on July 20, 2018, the Procurement Division, DAS, posted a Request
37 for Proposals for a new inmate medical services contract; and
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39 WHEREAS, both the timeline for accepting proposals and consideration of those
40 proposals by the Evaluation Committee were extended to account for increased
41 complexity in responses, which delayed reports to the County Board on the status of the
42 new contract; and
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44 WHEREAS, because of the delay in awarding a new contract, DAS and the
45 Office of Corporation Counsel entered into negotiations with Armor to extend inmate
46 medical services through March of 2019; and

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WHEREAS, on December 3, 2018, a three-month contract extension with Armor was fully executed, without County Board approval, at a taxpayer cost of \$5.7 million; and

WHEREAS, the funds approved in the 2019 Adopted Budget, at the levels recommended by the Administration, will not be sufficient to cover inmate medical services for the entire year, requiring a super-majority vote of the County Board to transfer funds to supplement these appropriations; and

WHEREAS, contracts with private vendors are motivated by profit, which is not present when inmate medical services are provided in-house; and

WHEREAS, on November 5, 2018, the County Board Chairman requested an analysis on the feasibility of the County providing inmate medical services in-house; and

WHEREAS, the County has a responsibility to deliver quality inmate health care and providing these services in-house ensures a clear line of accountability; and

WHEREAS, the Committee on Finance and Audit, at its meeting of December 6, 2018, recommended adoption of a By the Committee resolution to File No. 18-898 (vote 7-0); now, therefore,

BE IT RESOLVED, the Milwaukee County Board of Supervisors (County Board) reaffirms and recommends that inmate medical services be directly provided by Milwaukee County (the County), rather than a private vendor; and

BE IT FURTHER RESOLVED, the House of Correction (HOC), the Office of the Sheriff, the Office of Corporation Counsel, the Office of the Comptroller, and the Department of Administrative Services shall report back to the County Board in the January 2019 meeting cycle with a plan to provide these medical services in-house with the establishment of clear lines of accountability; and

BE IT FURTHER RESOLVED, the report should include an analysis of whether the formation of a Department of Medical Services, led by a medical director, should be created to provide support to the HOC and the Office of the Sheriff, and manage any necessary contracts; and

BE IT FURTHER RESOLVED, the report should address the present need and funding for a contract monitor, including oversight of the contract monitor, after an audit determined contract monitoring to be insufficient; and

BE IT FURTHER RESOLVED, whether provided in-house or with an outside vendor, any agreement to provide inmate medical services shall, among other things, contain these elements:

- 93 • Obtain National Commission on Correctional Health Care certification
- 94 within 18 months of the start agreement
- 95 • Use Epic electronic medical record software or a comparable electronic
- 96 medical record system that can easily transfer information to monitoring
- 97 agencies or other providers
- 98 • Adhere to the procedures outlined in the Prison Rape Elimination Act of
- 99 2003
- 100 • An independent outside Contract Monitor to ensure that the provisions of
- 101 any agreement to provide inmate medical services are met

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103 ; and

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105 BE IT FURTHER RESOLVED, to the extent that the report calculating the cost of
106 providing inmate medical services in-house is compared to the cost of obtaining these
107 services from a contract vendor, it shall include the cost estimates for legal settlements
108 that may accrue to the County due to actions of the vendor.

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114 Committee Inmate Medical Services.docx