

Testimony from Candice Owley, President Wisconsin Federation of Nurses and Health Professionals
To the Judiciary Committee on October 18, 2012 re: contract with Armor Medical Services

I am appearing today to speak in opposition to the proposal that the County to enter into a contract with Armor Medical Services to provide health services for the Milwaukee County Correctional services.

Our union is in opposition to this proposal for the following reasons:

1. Current staffing for corrections includes 37.4 RN FTEs. The Armor contract reduces that number to 26.4 RN FTEs which is far below the number needed to provide safe health care services and far less than needed to comply with the court mandate. In the August 2012 review of the health services by the Court monitor, concern is raised that even the current number of RNs is inadequate to comply with the care requirements for the inmates. If the Armor contract is approved it must be amended to include at least 11 more RN FTEs. If that is done will Armor agree to provide the services for the same dollar amounts? If not will the Sheriff agree to increase the amount he will pay to Armor to enable the increase in RN staffing?
2. The Sheriff's report regarding the contract suggests that the number of budgeted position in the Armor contract is almost identical to the current number of positions but this is not true because the Armor contract includes 10.6 medical records FTEs and 2 Dental FTEs but none of these FTEs are in the list of current County positions because these positions are already contracted out services so if those positions are eliminated from the comparison then the Armor contract needs to be reduced to 100.1 positions and of course those contracts will have to be terminated also.
3. The Armor contract has a clause allowing it to be cancelled with 30 days' notice. Practically speaking this cannot work given the County would then have to rehire or hire anew a complete complement of over 100 staff to provide the services. Realistically this is not possible.
4. Any privatization plan must be reviewed and approved by the Court Monitor in order for it to be accepted by the court and the plaintiffs. This should be done before the County approves the contract in the event it has to be significantly modified.
5. In the event the County agrees to execute the contract, employees must be given notice and opportunity to bump into other county positions for which they are qualified. To make such a decision the employees must know the wages, benefits, hours and working conditions that they will have with the Armor Corporation. They will also need to know things such as what happens to their sick bank, seniority and years of vacation if they chose to work for Armor. This cannot be done overnight. There must be sufficient time for employees to review their options.
6. In the event the contract is executed and employees jobs are eliminated the nurses will have the right to bump the RNs that work at BHD and a review of the current seniority lists discloses at

least 25 and possibly 30 BHD nurses will be displaced by the nurses from corrections if they decide to reject a position with Armor and instead exercise their right to bump.

7. The Armor contract has a clause that allows the Sheriff to have any employee removed if he is dissatisfied with that employee. This provision is extremely problematic because without the protection of civil service or a union contract each and every employee is at risk of termination just for displeasing the Sheriff. It is critical that health care professionals have the protection to speak out about any concerns they have regarding quality of health services without fear of retaliation or termination. This provision must be modified and strong whistleblower protection must be included.

I could continue to list sections of the Armor contract that our union believes are problematic but in the end we ask not only that the County reject any plan to turn health services over to a private for-profit company but that you very clearly and specifically reject any contract with Armor Correctional Health Services.

I have a copy of a just completed research report prepared by our national union's strategic research department and what they found out about the Armor Corporation is shocking. The report entitled Bribery and Bad Medicine, describes and documents in detail a pattern of bribery, bad medicine medical errors and law suits that raise serious and troubling questions about this 8 year old corporation. Just this summer a class action law suit was filed alleging that Armor...failed on a systemic, pervasive and on-going basis to provide residents at a correctional center for women, with medical care sufficient to satisfy the minimum standard mandated by the Eighth Amendment. I have copies of that report for the committee and copies of all the background documents used to prepare the report. I believe the County and the County Executive should take the time to do a thorough review of not only this contract but this corporation before terminating over 100 jobs of dedicated professionals and further endangering the care and lives of the inmates in the Milwaukee County correctional system.

There is no question the Sheriff has had challenges filling key physician positions. The job may have been made easier had they filled the court required Program administrator position responsible for overseeing the hiring but instead they chose to leave the position vacant since 2004.

The real focus as we move forward must be finding the barriers to hiring the needed physicians rather than terminating over 100 County jobs and letting dedicated, experienced nurses end their County employment.

Again I ask that you vote down this contract not only in this committee but also remove the proposal from the 2013 budget and restore full funding for the County jobs.