Supervisor Schmitt, Chairperson,

By the Committee on Finance and Audit reporting on:

File No. 18-898

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

# A RESOLUTION

WHEREAS, at its meeting on December 6, 2018, the Committee on Finance and Audit reviewed an informational report from the Director of the Procurement Division, Department of Administrative Services, regarding the status of the correctional medical services contract with Armor Correctional Health Services, Inc. (“Armor”); and

WHEREAS, the County Board rejected the County Executive’s proposal in the 2012 Recommended Budget to outsource inmate medical services to Armor and instead have it managed by another department; and

WHEREAS, a court in May 2013 ordered the County to enter into a contract with Armor to satisfy the Christensen Consent Decree; and

WHEREAS, the County Board Chairman requested an audit of Armor in November of 2016, which led to the determination, among other things, that during the 22-month review period Armor never achieved the minimum staffing levels required in the agreement; and

WHEREAS, the contract with Armor for inmate medical services (including medical, dental, and mental health services) will expire on December 31, 2018; and

WHEREAS, the Department of Administrative Services Procurement Division posted on July 20, 2018 a Request for Proposal (RFP) for a new inmate medical services contract; and

WHERAS, both the timeline for accepting proposals and consideration of those proposals by the Evaluation Committee were extended to account for increased complexity in responses, which delayed reports to the County Board on the status of the new contract; and

WHEREAS, because of the delay in awarding a new contract, the Department of Administrative Services and the Office of Corporation Counsel entered into negotiations with Armor to extend inmate medical services through March of 2019; and

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

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

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

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

BE IT FURTHER RESOLVED, that the House of Corrections, 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, that 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 House of Correction and the Office of the Sheriff and manage any necessary contracts; and

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