



# Milwaukee County

## Legislation Details (With Text)

**File #:** INF 11-17      **Version:** 1      **Name:** January 2011 SOD  
**Type:** Informational Report      **Status:** Placed on File  
**File created:** 1/12/2011      **In control:** County Clerk  
**On agenda:**      **Final action:** 2/3/2011  
**Title:** From the Interim Director, Department of Health and Human Services (DHHS), submitting an informational report regarding the 2010 Behavioral Health Division Capital Budget Project and issues regarding the recent Statement of Deficiency (SOD). (INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CB Resolution 10-284(a)(d), 2. Audio F&A 01/27/11, 3. Audio HHN 01/26/11

| Date      | Ver. | Action By                             | Action                         | Result |
|-----------|------|---------------------------------------|--------------------------------|--------|
| 2/6/2014  | 1    | Milwaukee County Board of Supervisors | Assigned                       |        |
| 2/3/2011  | 1    | Milwaukee County Board of Supervisors | RECEIVE AND PLACE ON FILE      | Pass   |
| 1/27/2011 | 1    | Finance and Audit Committee           | RECEIVE AND PLACE ON FILE      | Pass   |
| 1/26/2011 | 1    | Health and Human Needs Committee      | DISCUSSED WITH NO ACTION TAKEN |        |
| 1/13/2011 | 1    | Board Chairman                        | Assigned                       |        |

From the Interim Director, Department of Health and Human Services (DHHS), submitting an informational report regarding the 2010 Behavioral Health Division Capital Budget Project and issues regarding the recent Statement of Deficiency (SOD). **(INFORMATIONAL ONLY UNLESS OTHERWISE DIRECTED BY THE COMMITTEE)**

### BACKGROUND

On June 3, 2010 BHD received a Statement of Deficiency (SOD) from the State of Wisconsin as a result of a recent State Centers for Medicaid and Medicare Services (CMS) survey. This was BHD’s routine four-year survey that encompasses a comprehensive review of the physical plant and its operations. The majority of the citations BHD received were regarding the physical building. BHD was required to respond with an initial plan for corrective action by June 14, 2010 and an immediate corrective action on specified citations by June 25, 2010.

At the July 2010 meetings of the Committees on Health and Human Needs and the Finance and Audit, approved the expenditure authority for \$1,825,890 in 2010 BHD Capital Funds to address all SOD related capital conditions by the final deadline of April 1, 2011. BHD has been providing monthly updates to the County Board since that time.

### DISCUSSION

The first requirement of the SOD was to respond to the Conditions, or immediate citations, listed below in Table A, by June 25, 2010. All Conditions were completed by BHD and reviewed by state surveyors during the week of June 28, 2010. At this time, BHD has no outstanding Conditions regarding the initial list for June 25, 2010. It was necessary for BHD to take immediate action to address the SOD citations requiring correction by the June 25, 2010 deadline. The risk of not demonstrating immediate and continuing efforts to respond to the citations would have resulted in sanctions by the State, with the possibility of losing Medicaid certification. Without such certification, the County would have lost significant revenue, similar to the recent occurrence at the State’s mental health facility - Mendota Mental Health Institute. The Plan of Correction is a work-in-progress and the expectation by BHD and State surveyors is that continuous progress be made in correcting all cited conditions by April 1, 2011. The State has at least five opportunities to review citations and conduct site visits/inspections before the final inspection April 1, 2011.

The following is a list of Conditions that were met by the initial June 25, 2010 deadline:

| <b>TABLE A</b>  |               |
|---|---------------|
| <b>Conditions/Citations</b>   | <b>Status</b> |
| Maintain clear access to exits by removing storage  | Completed     |
| Remove various shelving   | Completed     |
| Clean and dust various office closets, storage spaces and ventilation grills  | Completed     |
| Flush floor and shower drains   | Completed     |
| Lock unused rooms and maintain log  | Completed     |
| Adjust waste storage per guidelines   | Completed     |
| Seal all holes, penetrations throughout BHD   | Completed     |
| Replace metal plate in Crisis   | Completed     |
| Replace tissue dispenser  | Completed     |
| Remove bed rails  | Completed     |
| Replace missing heat guards   | Completed     |
| Remove dust/lint in laundry room  | Completed     |
| Change various locks  | Completed     |
| Replace various dietary equipment   | Completed     |
| Replace insulation on some water pipes  | Completed     |
| Caulk various locations throughout BHD  | Completed     |
| General adjustments and fixes for doors including install of push/pull door releases, replacement of door hardware, removal of some doors, adjustments of door guides etc | Completed     |

|  |           |
|--|-----------|
| Seal various walls for smoke barrier   | Completed |
| Replace lighting in various closets/storage areas, replace aluminum plates and adjust other burnt out lighting | Completed |
| Remove storage from various areas and adjust to meet fire code   | Completed |
| Replace damaged escutcheon sprinkler rings   | Completed |
| Seal ceiling holes due to misaligned tiles   | Completed |
| Electrical clearance issues  | Completed |
| Replace damaged astragal   | Completed |
| Adjust doors to have positive latches, repair self-closure mechanisms and change fire plan accordingly         | Completed |
| Repair damaged floor areas in bathrooms  | Completed |
| Replace gate in stairwell  | Completed |
| Replace cover on heater  | Completed |
| Replace refrigerator on CAIS   | Completed |
| Replace door on fire hose container  | Completed |

Due to the extremely short timeframe mandated by the State for responding to the Conditions, BHD Administration determined that applicable purchases and maintenance staff overtime were emergency costs that needed to be incurred immediately. This action was taken to ensure compliance with State regulations and avoid risk of decertification that could result in the loss of State Medicaid reimbursement to BHD. The cost estimate for year-to-date supplies/commodities and additional contract work (such as deep cleaning, moving vans, and dumpsters etc.) is \$552,885 through December 15, 2010. The BHD maintenance overtime to date related to the SOD is \$96,775. Additional Department of Transportation and Public Works (DTPW) skilled trades costs for labor and overtime is estimated at \$210,368 YTD- bringing the total spent on corrective actions for SOD issues out of BHD operating funds to \$860,028.

In addition to the immediate (conditional) items that have been completed, there are a number of citations requiring a longer timeframe for completion. These citations are displayed below and grouped as bond-eligible projects, Table B, and cash-financed projects, Table C. While some projects are complete and have final costs reported below, the cost estimates should be considered preliminary for projects that have yet to be completed, as plans are still being finalized and some bids have not yet been received. BHD continues to work with the Department of Administrative Services (DAS); the DTPW - Architectural, Engineering and Environmental Services (A&E); and Zimmerman Architectural Studios Inc, to obtain refined quotes. BHD is required to have all work, which addresses the citations completed by April 1, 2011 as documented in the SOD report.

**TABLE B**

**Bondable Items (based on information available December 27, 2010)**

| Issue  | Cost Estimate*     | Due Date Per Plan of Correction   |
|--|--------------------|---|
| Remove and replace Library Halon System                            | \$35,000           | Completed on 10-25-10   |
| Door Replacement   | \$54,000           | Completed on 11-18-10   |
| Additional Sprinkler Heads   | \$13,750           | Completed on 9-30-10  |
| Construct 100,000 sq ft of seamless ceilings                       | \$575,000          | April 1, 2011   |
| Repair 300 feet of foundation                                      | \$26,500           | Completed on 10-1-10  |
| Replace damaged window sills                                       | \$125,000          | Completed on 10-1-10 (BHD will complete other damaged sills in 2011)          |
| Determine hazardous storage rooms and create smoke barriers        | \$324,000          | Completed on 11-1-10 (Additional work being done to prevent future citations) |
| Replace milk cooler and installation                               | \$25,000           | April 1, 2011 - Equipment ordered in November 2010                            |
| Dish Room, Tray Line Tiles and Laundry Repairs                     | \$200,000**        | April 1, 2011   |
| Materials and labor (DTPW, BHD and Time and Materials Contractors) | \$281,650          | On-going  |
| Contingency (10%)  | \$165,990          |   |
| <b>Total</b>   | <b>\$1,825,890</b> |   |

*\*Items above represent initial quotes and have preliminarily been determined to be bond eligible. DAS-capital staff will continue to review and work with BHD staff to solidify actual costs and ensure all items are bond-eligible. If the scope of a project changes, it may be determined that cash financing needs to fund certain portions of the above listed projects. A 10% contingency has been included in the cost sub-total to account for any fluctuations that may occur as hard costs are obtained.*

*\*\*The Dish Room and Laundry facility repairs are a significant project within the SOD citations and are based on conceptual plan only. BHD is working on a plan and is considering consolidating space within the complex to streamline operations. This cost estimation will likely fluctuate based on the final plan and has been included in this request as a place holder to ensure all compliance costs were included in this request for County Board consideration.*

**TABLE C****Cash Items (based on information available December 27, 2010)**

| Issue  | Cost Estimate*                                  | Time Frame           |
|--|---|----------------------|
| Seal bathrooms to be water tight                                   | \$75,000  | March 1, 2011        |
| Replace sidewalks  | \$28,200  | Completed on 10-1-10 |
| Exit Lighting  | \$4,550   | Completed on 9-13-10 |
| Roof repair at Food Service Building and Hospital                  | Included in YTD purchases                       | Completed on 8-1-10  |
| Electrical Upgrades  | Included in DTPW OT estimates and YTD purchases | Completed on 7-1-10  |
| Install Door Closers   | Included in YTD purchases                       | Completed on 7-15-10 |
| Ventilation Addition   | \$53,250  | Completed on 12-1-10 |
| Medical Records Room fire walls and ventilation                    | \$12,000  | March 1, 2011        |
| Materials and labor (DTPW, BHD and Time and Materials Contractors) | \$38,144 (Preliminary estimate)                 | On-going             |
| Contingency (10%)  | \$22,887  |                      |
| <b>Total</b>   | <b>\$234,031</b>                                |                      |

*\*All estimates are based on the best information available as of December 27, 2010 and are subject to change based on scope of the project and information gained from more detailed reviews. DAS staff will continue to review and work with BHD staff to solidify actual costs based on additional quotes. A 10% contingency has been included in the cost sub-total to account for any fluctuations that may occur as hard costs are obtained.*

Since the last report, BHD Operations and DAS have met to review all expenditures to determine what items (including staff time) are allowable under the capital budget. BHD is working with DAS to itemize each project for allowable costs for capital and cash funding streams. Once all the detail is complete, the DAS Capital Finance Manager will complete a fund transfer to move costs from the BHD budget to the capital project. DAS and BHD hope to have this complete by the end of January 2011.

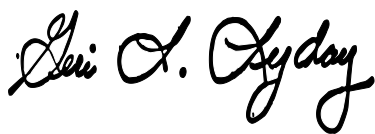
In addition, BHD has been working over the last several months for a solution to the issues in the SOD regarding the Dish Room, Tray Line and Laundry facilities. It has been determined by BHD, DAS and DTPW that the best approach is to change the use of the Dish room at BHD to avoid costly reconstruction and instead move food and tray line operations from the main BHD facility to the Food Service Building. This will require BHD to purchase some new equipment for food service and change some processes for food delivery but will also help streamline food service delivery and avoid significant construction costs within BHD. Currently, bids are being solicited and a new plan is being put together in conjunction with BHD, DTPW, DAS, A'viands and the State. BHD plans to return to the Board in the March cycle with final estimates for the change and any necessary fund transfers.

BHD has worked diligently to address immediate SOD Conditions and continues to move forward with the long-term projects to ensure all corrections are completed by the State deadline of April 1, 2011. The items included in Tables A, B, and C include all current citations noted in the SOD. BHD and DAS will provide the Board with informational reports as work progresses.

**RECOMMENDATION**

This is an informational report. No action is necessary.

Respectfully Submitted:



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Geri Lyday, Interim Director  
Department of Health and Human Services

Cc: County Executive Lee Holloway  
Renee Booker, DAS Director  
Allison Rozek, Analyst - DAS  
Jennifer Collins, Analyst - County Board  
Jodi Mapp, Committee Clerk - County Board  
Steve Cady, Analyst - County Board  
Carol Mueller, Committee Clerk - County Board