

## **Health Care Appeals, Correspondence Control, and Habeas Corpus Petitions Initiative Appendices**

Health Care Appeals, Correspondence Control, and Habeas Corpus Petitions Initiative Appendix 1 – Controlled Correspondence Unit Workload Statistics FY 2006-2007

Health Care Appeals, Correspondence Control, and Habeas Corpus Petitions Initiative Appendix 2 – California Prison Health Care Receivership Correspondence Workload Statistics FY 2006-2007

Health Care Appeals, Correspondence Control, and Habeas Corpus Petitions Initiative Appendix 3 – Plata Paragraph 7 Correspondence Workload Statistics FY 2006-2007

Health Care Appeals, Correspondence Control, and Habeas Corpus Petitions Initiative Appendix 4 – Overdue Appeals Comparison Summary and Statistics

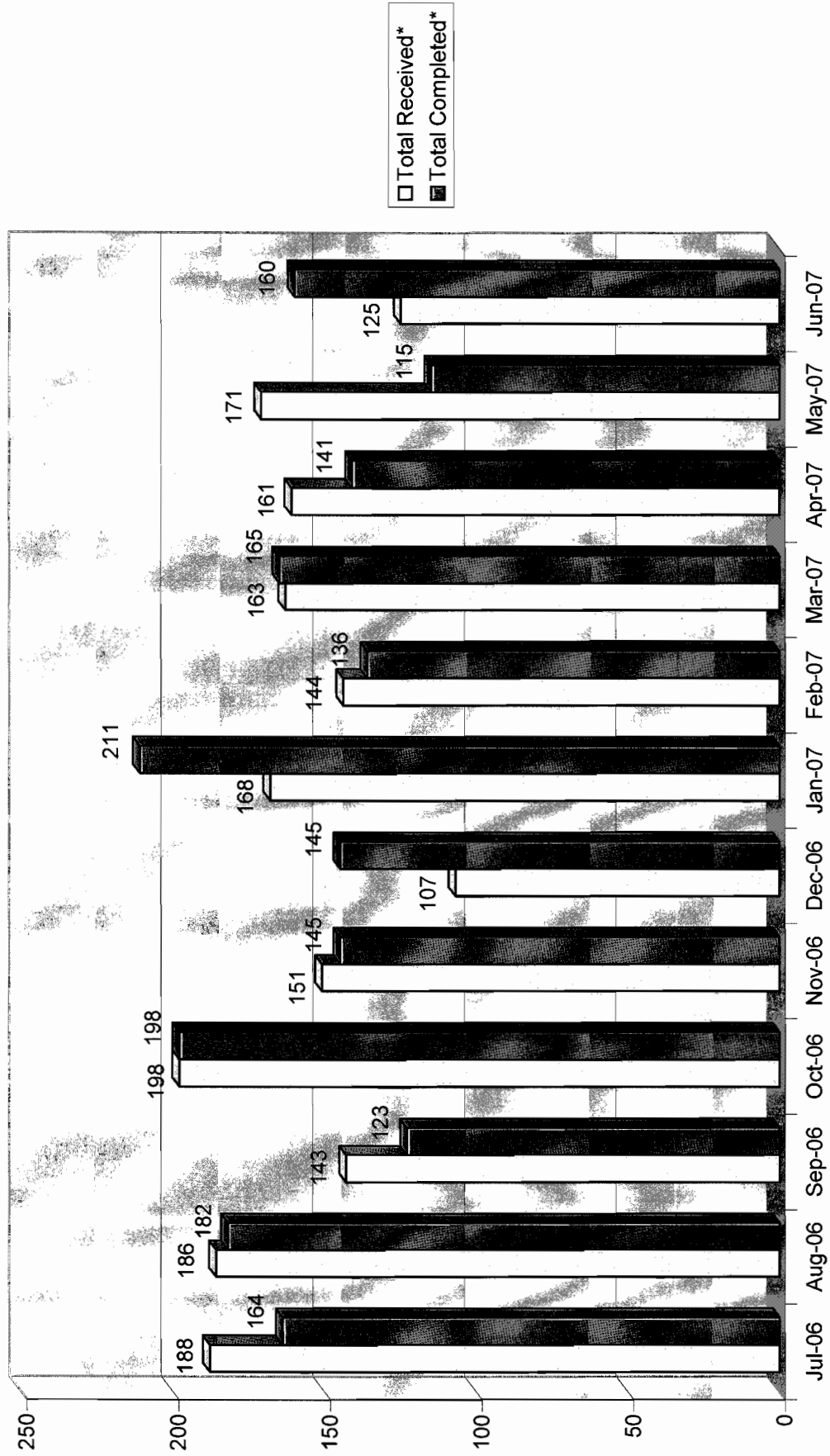
Health Care Appeals, Correspondence Control, and Habeas Corpus Petitions Initiative Appendix 5 – Pilot Writ of Habeas Corpus Response Policy

# APPENDIX 1

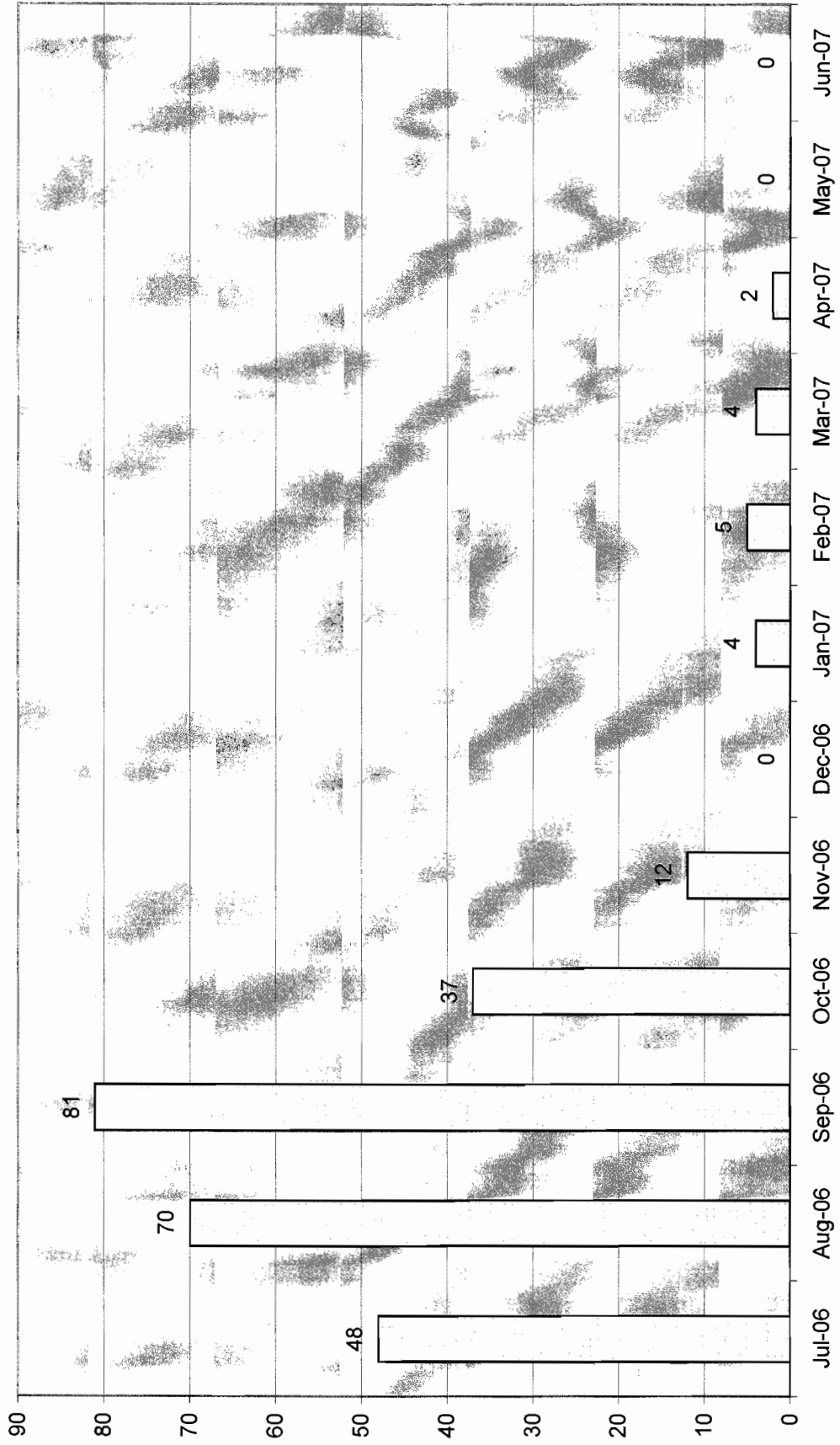
**Controlled Correspondence Unit  
Workload Statistics  
FY 06-07**

	# of Analytical Staff	Total Received*	Total Completed*	Total Overdue*
July-06	2	188	164	48
August-06	2	186	182	70
September-06	5*	143	123	81
October-06	4	198	198	37
November-06	4	151	145	12
December-06	4	107	145	0
January-07	3	168	211	4
February-07	3	144	136	5
March-07	3	163	165	4
April-07	3	161	141	2
May-07	3	171	115	0
June-07	3	125	160	0
<b>TOTAL</b>		<b>1905</b>	<b>1885</b>	<b>n/a</b>
The statistics reflected are through the last day of the corresponding month.				
* Additional analytical staff did not work the entire month.				

**Controlled Correspondence Unit  
Number of Items Received and Completed  
FY 06-07**



**Controlled Correspondence Unit  
Number of Items Overdue  
FY 06-07**



	<b>Total Overdue*</b>
July-06	<b>48</b>
August-06	<b>70</b>
September-06	<b>81</b>
October-06	<b>37</b>
November-06	<b>12</b>
December-06	<b>0</b>
January-07	<b>4</b>
February-07	<b>5</b>
March-07	<b>4</b>
April-07	<b>2</b>
May-07	<b>0</b>
June-07	<b>0</b>
<b>TOTAL</b>	<b>n/a</b>

The statistics reflected are through the last day of the corresponding month.

# APPENDIX 2

California Prison Health Care Receivership Corporation (CPR)  
Correspondence Workload Statistics  
FY 06-07

	<b>Correspondence Rec'd</b>	<b>Repeat Writers</b>
July-06	N/A <sup>1</sup>	N/A <sup>1</sup>
August-06	172	N/A <sup>1</sup>
September-06	175	N/A <sup>1</sup>
October-06	160	N/A <sup>1</sup>
November-06	139	N/A <sup>1</sup>
December-06	172	N/A <sup>1</sup>
January-07	159	42
February-07	155	50
March-07	265	72
April-07	*	*
May-07	*	*
June-07	818*	286*
<b>TOTAL</b>	<b>2215</b>	<b>450**</b>

<sup>1</sup>Statistics not available (N/A) for this time period

\*Statistics for April through June 2007 provided as a Quarterly Summary

\*\*For the time period reported, repeat writers represented slightly over 20% of the correspondence receive

NOTE: The Correspondence Control and Litigation Management Unit, Plata Support Division



# APPENDIX 3

Plata Para 7 Correspondence

Workload Statistics

FY 06-07

**New Plata Issues Received    Teleconference Issues**

July-06	85	100
August-06	49	117
September-06	73	95
October-06	72	100
November-06	47	84
December-06	31	79
January-07	90	99
February-07	45	71
March-07	50	86
April-07	66	101
May-07	44	78
June-07	35	83
<b>*TOTAL</b>	<b>687</b>	<b>1093</b>

\*1full time analyst assigned

# APPENDIX 4





**Total Overdue Appeals  
Fiscal Year 2005/06  
Compared To  
Fiscal Year 2006/07  
For All Institutions**

	05/06	06/07
ASP	4198	3831
CAL	266	423
CCC	0	59
CCI	473	619
CCWF	303	203
CEN	4	19
CIM	150	16
CIW	0	44
CMC	113	756
CMF	12	33
COR	211	148
CRC	56	383
CTF	495	751
CVSP	357	603
DVI	9	42
FSP	0	11
HDSP	109	942
ISP	203	1644
KVSP	162	3468
LAC	892	482
MCSP	48	340
NKSP	350	1016
PBSP	225	311
PVSP	2748	1184
RJD	53	377
SAC	196	176
SATF	1829	1476
SCC	0	14
SOL	970	753
SQ	139	1948
SVSP	962	465
VSPW	418	305
WSP	1	7
<b>Total</b>	<b>15952</b>	<b>22849</b>

# APPENDIX 5

**CALIFORNIA DEPARTMENT  
OF CORRECTIONS AND  
REHABILITATION**

Plata Support Division  
Controlled Correspondence and  
Litigation Management Unit

Policy and Procedure # \_\_\_\_:  
Approval Date:

**PILOT  
Writ of Habeas Corpus  
Response Policy**

**POLICY:**

The Controlled Correspondence and Litigation Management Unit (CCLMU) shall ensure that timely and appropriate responses are provided when Petitions for Writs of Habeas Corpus have been filed by patient/prisoners regarding their medical care and treatment.

**REFERENCES:**

California Penal Code section 1473, et seq. – Writ of Habeas Corpus

California Rules of Court, Rule 4.550, et seq. - Habeas Corpus Application and Definitions

**APPROVAL AND REVIEW:**

This pilot procedure shall be reviewed every 90 days until such time as a permanent policy and procedure is adopted and approved.

**RESPONSIBILITY:**

The Director, Plata Support Division shall ensure compliance with this policy and procedure.

**PROCEDURE:**

**A. Receipt of Writ of Habeas Corpus**

1. Upon receipt of the Writ of Habeas Corpus (writ), the Health Program Specialist I (HPSI) will immediately enter the writ into the Habeas Corpus database and calendar any deadlines for responses. If the response cannot be completed before the response deadline, the HPSI shall immediately notify Counsel for the Receiver so that an extension of time can be requested.
  - a. The writ may be received from the following sources:
    - i. Petitioner
    - ii. Court
    - iii. Counsel for the Receiver
    - iv. Petitioner's Counsel
    - v. CDCR Institutions
    - vi. Office of the Attorney General



- b. If the writ is not received from the Counsel for the Receiver, the HPSI will contact the Counsel for the Receiver and forward a copy of the writ immediately by facsimile.
- c. If the writ does not contain a copy of the original petition, the HPSI will request a copy of the petition through Counsel for the Receiver.
2. The HPSI will assign the writ to the CCLMU Registered Nurse (RN) who will immediately review the writ and determine the appropriate medical records needed for clinical review.
3. The HPSI will order and track the medical records from the institution, case records unit or medical records archive. The medical records shall be forwarded to the CCLMU within three business days.
4. The HPSI will draft, prepare and send the acknowledgement letter to the petitioner (cc: Petitioner's Counsel, Counsel for the Receiver) within five business days of receipt of the writ.
5. The HPSI will obtain a copy of the appeal record from the California Department of Corrections and Rehabilitation, Institution Appeals Branch, Third Level Review.
6. If no appeal record exists, the HPSI will immediately notify Counsel for the Receiver and will continue the process.

**B. Clinical Support Unit Review**

1. Upon receipt of the medical records, the HPSI will forward and track the writ and medical records to the Clinical Support Unit (CSU) for review and preparation of the written clinical evaluation.
2. The written clinical evaluation shall be completed by a Physician.
3. The written clinical evaluation shall address the following:
  - all legitimate health care issues identified in the writ
  - institutional Corrective Action Plan to address the health care issues
  - disposition of the health care issues
4. The written clinical evaluation shall be completed and returned to the HPSI within five business days.

**C. Response to the Office of the Receiver**

1. Upon receipt of the written clinical evaluation, the HPSI will consult with the RN to review the written clinical evaluation for completeness and clarity.
2. The HPSI will track and forward the writ, written clinical evaluation, and appeal record to the Counsel for the Receiver within five days.

**D. Corrective Action Plan (CAP) Follow-up**

1. The HPSI will forward a copy of the written clinical evaluation to the RN for review of the CAP.
2. Once the RN completes the review of the CAP, the RN will contact the HCM to ensure the CAP has been implemented or completed.
3. The RN will track the CAP in the Habeas Corpus database until completion.

**E. Monthly Reporting**

1. The HPSI shall prepare a monthly report which shall include the following:
  - the status of each writ
  - the number of writs received
  - the number of clinical evaluations completed
  - the number of outstanding CAPs.
2. The monthly report shall be forwarded to the Office of the Receiver and the Counsel of Record by the 10<sup>th</sup> day of each month.

**Reviewed and Approved By:**

**Director, Plata Support Division:**

\_\_\_\_\_  
Richard Kirkland

\_\_\_\_\_  
Date