

RECEIVER MOVES TO RAISE SALARIES FOR PRISON MEDICAL STAFF

*Action will improve quality of care, help fill vacancies,
reduce cost of contractors*

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SAN JOSE, Calif. – Robert Sillen, federal Receiver for California’s prison medical care system, today submitted a request to U.S. District Court Judge Thelton E. Henderson to order sweeping salary increases for prison health care staff. The move will improve quality of care in the state’s prisons by attracting and retaining qualified medical staff and reducing reliance on a costly temporary workforce.

“Qualified clinicians are essential to a constitutionally adequate medical care system,” Sillen said. “These salary adjustments are long overdue as a first step to attracting and retaining health care professionals in the effort to turn the prisons around and improve quality of care for inmate patients.”

The Receivership is the result of a 2001 class action law suit - *Plata v. Schwarzenegger* - that found the medical care in California’s 33 prisons violates the Eighth Amendment, which forbids cruel and unusual punishment. Judge Henderson appointed Sillen as Receiver in February 2006 and charged him with taking over the operations of the state’s prison medical care system, bringing it up to constitutional levels.

Pending court action, the proposed raises will take effect September 1, and deliver increases ranging from 5 to 64 percent over time for critical health care positions in the state’s prisons. The estimated cost of the increases is approximately \$24 million in the first year. By contrast, in fiscal year 2005-06, the state spent \$90 million on contract employees to help fill huge vacancies in prison medical staffing. Contractors are far more costly than permanent employees. Currently the state pays an average of \$67 per hour for temp nurses v. \$38 per hour to state-employed nurses.

Vacancy rates for primary care providers (Physicians, Nurse Practitioners and Physician Assistants) in the prisons currently stand at 20 percent. The shortage of Registered Nurses clocks in at 15 percent, down from 39 percent last year after a December 2005 court order provided a \$1,700 bump to prison nurses.

The new round of increases will apply to a broad spectrum of prison health care staff, including those in Nursing, Pharmacy, Medical Transcribing, X-Ray, Medical Records and Dietary Services. In addition, Nurse Practitioners (NPs) and Physician Assistants (PAs) will receive

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raises. Physician raises will follow after the Receiver has had an opportunity to evaluate their performance on an individual basis. Today's request to the court includes a provision allowing the Receiver to raise physician salaries up to \$300,000, from the current \$150,000, at his discretion.

"We need to develop a system for ensuring that competent, dedicated physicians are rewarded, while others whose performance falls short are not," Sillen said.

The proposed increases for clinical staff will bring salaries more in line with those paid by University of California hospitals. Depressed salaries are a key factor in the shortage of qualified health care personnel in the prison system.

"Qualified health care professionals are an endangered species," Sillen said. "They need to be paid appropriately and provided with clinical environments and working conditions where they can do the job they trained to do: take care of patients. That's what this Receivership will deliver. Salaries are only the first step, but they make a big difference."

For instance, prison pharmacists today are paid approximately half of market wage, and there is a 42 percent vacancy rate statewide. Pharmacists will be receiving maximum salary increases of 64 percent from the Receiver. The state also pays prison clinical dieticians less than half of market wage, resulting in a 63 percent vacancy rate statewide. They will see maximum increases of 28 percent.

There is a consistent pattern of low wages and high vacancy rates:

Position	Vacancy Rate	Max. Salary Increase	Max. Salary
Medical Transcriber	26%	10%	\$38,808
X-Ray Technician	44%	49%	\$62,436
Medical Records Tech	26%	13-19%	\$42,708-\$51,564
Registered Nurse	15% statewide 51% Bay Area	23% statewide 35% Bay Area	\$97,848 \$107,868
Pharmacist	42%	63-64%	\$112,668-\$123,936
Clinical Dietician	63%	28%	\$59,136
Nurse Practitioner & Physician Assistant	20% (for all primary care providers)	5% statewide 9% Bay Area	\$115,440 \$119,868

The Receiver also has added Licensed Vocational Nurse (LVN) to the job classifications in the prison medical system, and is now recruiting to fill those positions. These nurses will replace Medical Technical Assistants (MTAs), a hybrid position held by peace officers that is being phased out. The new LVN salaries will range from \$40,620 to \$49,368 statewide; \$45,600 to \$55,428 in the Bay Area.

The papers filed today in the U.S. District Court for Northern California request that Henderson waive the state laws that permit only specific state agencies to make changes to prison medical

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staff salaries, thus allowing the court to take the proposed action. Governor Schwarzenegger's Cabinet Secretary, Fred Aguiar, indicated support for the plan in an August 30th letter to the Receiver. "If such an order were to be drafted and issued by the court," Aguiar wrote. "The Administration stands ready to offer its assistance, technical or otherwise, to successfully implement the order."

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