

RECEIVER ANNOUNCES NEXT STEPS TO IMPROVE PRISON MEDICAL CARE

Second Report to the Court Sets Priorities on Critical Issues:

- ✓ PLAN TO BUILD 5,000 MEDICAL BEDS
- ✓ CONTINUE PROGRESS ON CLINICAL STAFFING
- ✓ CAP SAN QUENTIN PATIENT FLOW

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SAN JOSE, Calif. – Robert Sillen, court-appointed Receiver of the state’s prison medical care system, announced today several next steps in the effort to bring medical care in California’s 33 prisons up to constitutional standards. The plan is laid out in Sillen’s second bi-monthly report to U.S. District Court Judge Thelton E. Henderson.

“Medical care for inmate patients cannot improve without qualified clinical staff, adequate facilities and the creation of a rational system that delivers appropriate levels of care,” said Sillen, who began work as the Receiver in April. In that role, he leads the restructuring and development of a constitutionally adequate medical care system for California’s approximately 175,000 inmate patients.

The Receivership was established by Henderson as the result of a 2001 class action law suit (*Plata v. Schwarzenegger*) brought against the State of California over the quality of medical care in the state’s prisons. The court found that the care was a violation of the Eighth Amendment of the U.S. Constitution, which forbids cruel and unusual punishment. After several years of failure by the state to fulfill court orders to improve care, Henderson appointed Sillen as Receiver to oversee operations and direct improvement in the quality of medical care, stripping that function from the California Department of Corrections and Rehabilitation (CDCR).

“The State has consistently failed to take action to correct the horrid conditions that cause needless deaths among inmate patients every week,” Sillen said. “The Receivership can remove obstacles to change by cutting through the state bureaucracy that has retarded reform efforts for decades.” For instance, the recent Special Session of the Legislature did not produce a plan to address prison overcrowding or the medical needs of inmates, so the Receiver will move forward to build medical beds in any event.

In today's report, Sillen updates the court on the Receivership's work to date and sets out plans for the next 60 days. So far, the Receiver has implemented several immediate measures to deliver relief in the clinical trenches, while also developing strategies for longer-term systemic change.

Current projects include:

- The creation of a new salary structure for clinical staff, bringing wages closer in line with University of California hospitals.
- Restructuring the process prisons use to contract with outside specialists, to ensure access to care, timely payments and eliminate waste.
- Starting a system-wide project to improve procurement of medical supplies and equipment, so that medical staff can operate in an adequate clinical environment.
- Auditing and restructuring the prison pharmacy system to improve safety and patient outcomes and reduce costly over-spending.
- An in-depth project focused on making changes to the quality of care at San Quentin State Prison, targeting 18 elements of medical care delivery detailed at length in the report.

Highlights of next steps include:

- The Receiver has begun planning to build 5,000 new medical beds, to be operational within three to five years.
- The Receiver's Chief of Staff will work in the meantime to identify 500 medical beds desperately needed by inmate patients today. These should be secured within the next six months.
- The Receiver will develop a new hiring program designed to ensure timely recruitment, hiring and retention of clinical staff applying for jobs in California prisons.
- The Receiver will confer with CDCR to establish patient capacity and reception center capacity at San Quentin, to ensure that the volume of inmate patients match the institution's ability to deliver appropriate medical care.
- The Receiver has requested the State Auditor to launch an audit of CDCR's use of temporary clinical staff.

The approximately 50-page report to Judge Henderson is now posted on the CDCR web site at www.cdcr.ca.gov at the bottom of the center column. Later today, the report and all related exhibits can be found on the U.S. District Court for Northern California web site at www.cand.uscourts.gov/ under the "current interest" section. In approximately one week, the report and exhibits will move off the court's home page, and can be found by following links to Judge Henderson's "rulings and examples."

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