

A DISASTER WAITING TO HAPPEN AT LOS ANGELES COUNTY GENERAL HOSPITAL

EXECUTIVE SUMMARY

Daily at County General Hospital, thousands of patients, staff, volunteers, and visitors are placed at risk of grave bodily harm and death. The 2005-2006 Los Angeles County Civil Grand Jury found inmates with violent criminal records in beds next to the beds of unsuspecting general population patients. Inmate-patient incidents have already occurred. The Board of Supervisors and the taxpayers of Los Angeles County face an enormous liability risk.

The 2005-2006 Los Angeles County Civil Grand Jury finds that the Chief Administrative Officer, the Sheriff, and the Department of Health Services can eliminate this risk if they:

- Reduce the number of inmates transported for medical treatment to County General Hospital.
- Provide more nurses in order to increase the inmate patient capacity of the secured Jail Ward at County General Hospital.
- End the practice of assigning inmates to beds on the hospital's Open Wards.

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ISSUE

The purpose of the 2005-2006 Los Angeles County Civil Grand Jury investigation is to learn why inmate-patients are placed among the general population and how this situation should be rectified to assure the safety of the public.

The policy of mixing patients and inmates every day exposes thousands to grave bodily harm and death. Los Angeles County+University of Southern California Medical Center (LAC+USC), better known by the public as County General Hospital, has a daily average population of 687 inpatients, including 35 inmate-patients, and 2100 outpatients. Everyday thousands of people cross the threshold of LAC+USC including doctors, nurses, medical support staff, ancillary staff, volunteers, visitors, medical students, interns, residents, and law enforcement personnel.

METHODOLOGY

In order to determine the extent of the problem and to form recommendations, the Grand Jury visited LAC+USC and met with members of the hospital's administrative and medical staff. Interviews were also conducted with employees of the Los Angeles County Sheriff's Department and the Los Angeles County Chief Administrative Office, Employee Relations and Compensation Policy Divisions. The jurors reviewed internal data from the above sources, along with documents from the Department of Health Services, the Memorandum of Understanding for Bargaining Unit 311, California Law, and Los Angeles County Codes.

FINDINGS

Jail Ward

1. At LAC+USC, the 13th floor is dedicated exclusively to the only jail inpatient program in Los Angeles County, commonly known as the Jail Ward. On a daily basis, a number of inmate-patients are not assigned beds in this secured Jail Ward. They are placed in beds in unsecured areas amongst the general patient population, commonly known as Open Wards, even though beds in the Jail Ward remain empty. These inmate-patients are often individuals with violent criminal records.

2. The Jail Ward originally had beds for 50 inmate patients. Over the years the bed capacity was reduced to 35 beds to accommodate an outpatient clinic. During an average day inmate-patients number 35; however, only 15 are given beds in the Jail Ward because of an insufficient number of nurses. California State law mandates that the licensed nurse-to-patient ratio must be 1:5. There are only 3 nurses assigned to the Jail Ward during an eight-hour shift, meaning that a maximum of 15 inmate-patients can be housed there.
3. The Jail Ward is a secured facility. Inmate-patients do not have access to visitors, contraband or telephones. Precautions are taken so that inmates do not have access to medical equipment, drugs, and ancillary objects. Despite these precautions, many rudimentary weapons have been confiscated made from non-secured objects including toothbrushes sharpened into knives.
4. Approximately 10 Sheriff Deputies staff the ward at all times to protect the inmate-patients and the staff. These deputies also accompany inmate-patients when they are taken to other parts of the hospital for medical procedures.

Open Wards And General Population

1. In emergency situations, the inmates/new arrestees are treated in the emergency room (ER) along with the general population. Law enforcement personnel accompany all inmates/new arrestees during their treatment in the ER. Once the ER treatment is complete, the inmate patients are transferred to the Jail Ward. When there are no staffed beds available in the Jail Ward, where the availability of beds is dependent on nurse staffing, the inmates are transferred to non-secure Open Wards where they are given a bed and treated alongside the general patient population.
2. Inmate-patients are secured to their beds with leg chains, approximately 8 feet long, which are wrapped around the bed and padlocked to ankle cuffs. The chains allow the inmate-patients to move about the room up to the length of the chain. They are able to make physical contact with others in the room and with visitors. The medical staff and other patients (up to six per room) have no information on the criminal charges or convictions of the inmates.
3. Although inmate-patients are not allowed visitors, inmate-patients on the Open Ward have been found to with un-screened visitors. These visitors may include gang members or co-conspirators planning to aid an escape or provide smuggled weapons. Persons unknown to the staff can enter the Open Wards at any time. For example, during one of this Grand Jury's visits to LAC+USC, a person dressed as a doctor was seen hugging an inmate-patient. Neither the Sheriff Deputy nor medical staff recognized the doctor. This situation was an incident that required an investigation. The validity of the doctor's identity was ultimately

verified. However, at the time of the contact, a stranger was not stopped or cleared before he had access to an inmate-patient.

4. Two deputies check on the inmate-patients bedded in the Open Wards once an hour, twenty-four hours a day. When Sheriff Deputies enter an Open Ward, they look for anything suspicious and check that ankle cuffs and chains attached to the inmate-patient are secure. Inmate-patients are cognizant of this hourly procedure.
5. The safety precautions taken on the Jail Ward are not followed in the Open Wards. When Sheriff Deputies are not present, inmate-patients can intimidate others into complying with their demands, such as using a cell phone or aiding in an escape.
6. The Grand Jury reviewed a sample of 34 days of "Jail Inmates Housed On The Open Ward" lists covering the months of May, June, July, August and September 2005. This sample included a total of 496 inmates who were placed in Open Ward beds, many of them classified as "Escape Risk", "Mentally Ill", and extremely "Dangerous" individuals. This averaged just fewer than 15 inmates a day, at a time when there were more than 15 beds available on the Jail Ward. Of the 496 inmates sampled:

- 24 either convicted or charged with homicide
- 30 either convicted or charged with sexual assault
- 33 either convicted or charged with assault with deadly weapon
- 35 either convicted or charged with robbery
- 18 either convicted or charged with grand theft
- 147 either convicted or charged with drug offenses

The balance of the sample includes inmates convicted or charged with a variety of lesser crimes.

7. For the past several years, there have been escape attempts by inmate-patients. Inmates at county jail facilities have feigned illness or intentionally injured themselves in order to be transferred to LAC+USC with intent to escape. The following incidents have occurred involving inmate-patients on the Open Wards:
 - An inmate-patient involved in a CHP shooting death was identified in letters along with detailed, hand drawn maps of LAC+USC regarding an escape plan. One of the letters told the recipient to kill the deputy escorting the inmate-patient to the hospital.
 - An inmate-patient with a broken leg managed to cut through the left armrest of his wheelchair and slip off his handcuff. An eight-inch shank was hidden inside the inmate's cast.

- An inmate-patient charged with murder recruited other inmates to help him escape from the Open Ward. He planned to hide in the bathroom, wait for a deputy to enter, and then “snap his neck”.
- An inmate-patient escaped from LAC+USC while undergoing a CAT scan; he slipped out of his leg chains while the technician was conducting the exam in an unsecured area.
- A Sheriff Deputy found an ankle chain on the floor after an inmate-patient escaped from an Open Ward.
- A known gang member in an Open Ward lunged for a Deputy Sheriff’s gun, however was stopped.

Twin Towers/ Men’s Central Jail Medical Facility

1. The medical facility at Twin Towers Correctional/Men’s Central Jail has much of the equipment and expertise necessary to provide care approximating community standards. This is a modern facility licensed under Title 22 as a “Correctional Treatment Center” with a 196-bed hospital on its premises. The center is used mainly by inmates who are post surgical, have communicable diseases, need dialysis, or have diabetic complications. Fifty of the beds are reserved for acute mental health patients. Surgical and intensive care unit patients are sent to LAC+USC as are those needing CAT Scan and MRI tests, and specialty clinics such as Orthopedics, Neurology, and Plastic Surgery.
2. The medical facility at Twin Towers Correctional/Men’s Central Jail sends inmate-patients to LAC+USC for minor treatments which could be tended to in the jail medical facility. Twin Towers Correctional/Men’s Central Jail medical facility is not maximizing the use of their medical personnel such as physician assistants and nurse practitioners.
3. The Sheriff’s Department has received funding for a telemedicine program which will allow doctors at LAC+USC to diagnose and treat inmates through televised communication with the medical staff at the Twin Towers Correctional/Men’s Central Jail medical facility.

Nursing Shortages

1. The nursing shortage nationwide has created difficulty in recruiting nurses, more specifically, in recruiting nurses for the Jail Ward. The county is in competition with private industry, which is luring nurses with hiring bonuses, cars, relocation expenses, and other benefits. Because of the nurse shortage, the Chief Administrative Officer granted a 4% wage increase to the established pay classifications for registered nurses, pursuant to County Code § 6.10.060. This code allows the Chief Administrative Officer to authorize compensation up to

11% over established salary classifications, if it is determined necessary to attract candidates to county employment.

2. Some nurses will not work in the Jail Ward for fear of the inmates. Similarly, when the county uses nurse registry services to fill vacancies at LAC+USC, registry nurses refuse to work in the Jail Ward and if assigned there may refuse to work again in county health facilities.
3. The Jail Ward at LAC+USC is an extension of the Twin Towers Correctional/Men's Central Jail infirmary. Inmate-patients at LAC+USC remain in the custody of the Sheriff Deputies. Nurses work in the same environment at each of these locations. The special skills needed to attract nurses to work with a dangerous population are the same; nursing staffs at both facilities should be compensated at the same rate, equal pay for equal work.
4. A Memorandum of Understanding governs the salaries for county nurses. Nurses at LAC+USC are employees of the Department of Health Services. Nurses at the jails are employees of the Sheriff's Department. The nurses in the Jail Ward are compensated under the same nursing classifications as other nurses working at LAC+USC. The nurses working at Twin Towers Correctional/Men's Central Jail, as well as nurses working at other Sheriff facilities in the county, are compensated under the classification of "Staff Nurse, Sheriff". The Sheriff's nurses compensation is higher than the LAC+USC nurses compensation. The justification for a higher rate for Staff Nurse, Sheriff is that they are working with a dangerous population.
5. Another method for retaining nurses in county government service has been the use of bonuses. At LAC+USC specialty nurses in the emergency room and the intensive care unit receive bonuses. Likewise, nurses at Martin Luther King Hospital are awarded a 10% bonus to enhance retention.
6. In June 2005, the Department of Health Services, Human Resource Division, made a recommendation to the Chief Administrative Office regarding nurse pay classifications. The two alternative proposals were:
 - A. "Allow the Department [of Health Services] to hire nursing staff with a Staff Nurse, Sheriff or Supervising Staff Nurse I, Sheriff, against existing Staff Nurse and Supervising Staff Nurse positions allocated to LAC+USC Jail Ward, as long as they meet the minimum requirements of the Sheriff classifications."
 - B. "Approve a Manpower Shortage Bonus for nursing staff assigned to work in the LAC+USC Jail Ward so that they are compensated the same as nursing staff working in the Twin Towers Correctional Facility."

THE CHIEF ADMINISTRATIVE OFFICER DID NOT APPROVE EITHER OF THESE PROPOSALS.

CONCLUSION

There are too many inmate-patients being transferred to LAC+USC for treatment that could be handled within the Twin Towers Correctional/Men's Central Jail medical facility. Delays in implementing the telemedicine program hinder efforts to curtail the flow of inmate-patients to LAC+USC.

The limited number of nurses on the Jail Ward at LAC+USC results in the regular placement of inmates and new arrestees among the general patient population endangering patients, staff, volunteers, and visitors.

Inequitable pay to nurses within the county system makes it difficult to recruit and retain nurses for the Jail Ward.

RECOMMENDATIONS

1. Sheriff's Department: Increase use of medical personnel at Twin Towers Correctional/Men's Central Jail medical facility, including physician assistants and nurse practitioners, to perform routine procedures such as suturing, minor surgeries, and setting bones as are now being performed by these classifications at LAC+USC.
2. Sheriff's Department: Fast track implementation of the telemedicine program so that more diagnostic and medical procedures can be done at Twin Towers Correctional/Men's Central Jail medical facility.
3. Chief Administrative Office: Authorize the Department of Health Services to hire LAC+USC Jail Ward nurses at the Staff Nurse, Sheriff and Supervising Staff Nurse I, Sheriff classifications who meet or exceed the minimum requirements of the Sheriff classifications.

Or:

Chief Administrative Office: Approve a Manpower Shortage Bonus for nursing staff assigned to work in the LAC+USC Jail Ward, making their pay comparable to the compensation paid nurses at Twin Towers/Men's Central Jail medical facility.

4. Department of Health Services: Cease and desist accepting inmate-patients for bed placement on Open Wards amongst the general public.