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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

May 5, 2015

Erie County Legislature  
92 Franklin Street – Fourth Floor  
Buffalo, New York 14202

**RE: Personnel Adjustments – Erie County Correctional Health Services**

Honorable Members:

The Erie County Department of Health provides medical oversight and staff who provide health care at the Erie County Correctional Facility and Erie County Holding Center under an Interdepartmental Agreement with the Erie County Sheriff.

All aspects of the Erie County Correctional system, including Correctional Health, are subject to oversight from the U.S. Department of Justice under a stipulated order of dismissal entered into in 2011. The federal technical compliance consultant for Correctional Health, Dr. Ronald Shansky, has recommended that the Department of Health create two positions, a Quality Improvement Nurse and Assistant Director Nursing, in order to enter into full compliance with the Department of Justice.

Should your Honorable Body require further information, I encourage you to contact Health Commissioner Gale R. Burstein. Thank you for your consideration on this matter.

Sincerely,

Mark C. Poloncarz, Esq.  
Erie County Executive

Timothy Howard  
Erie County Sheriff

MCP/bqs  
Enclosure

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Personnel Adjustments – Erie County Correctional Health Services  
**Date:** May 5, 2015

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### **SUMMARY**

Authorization is requested to create two positions in the Department of Health, Division of Correctional Health Services in order to meet the recommendation of the United States Department of Justice technical compliance consultant for Correctional Health needs.

### **FISCAL IMPLICATIONS**

Including salary and fringe, this resolution will cost \$100,993. Funding is available from 2015 savings in the Medicaid-MMIS account based on state adjustments and guidance for the County's 2015 fiscal year.

### **REASONS FOR RECOMMENDATION**

Erie County will be unable to move into full compliance with the Department of Justice's stipulated order of dismissal without creating these positions.

### **BACKGROUND INFORMATION**

The terms of the Stipulated Order of Dismissal signed by Erie County and the U.S Department of Justice in August 2011, installed a Technical Compliance Consultant to oversee Correctional Health in Erie County. This Technical Compliance Consultant, Dr. Ronald Shansky, has recommended that Erie County create and hire a Quality Improvement Nurse and an Assistant Director of nursing, to fulfill duties that he believes are currently being unmet.

The Quality Improvement nurse would focus solely on organizing and overseeing various Quality Improvement activities that are designed to ensure a consistently high-standard of care. The Assistant Director of Nursing would help oversee nursing operations at both the Holding Center and Correctional Facility.

### **CONSEQUENCES OF NEGATIVE ACTION**

Dr. Shansky will continue to find Erie County in "partial compliance or "no compliance" with seven of the 17 categories of review as part of the stipulated settlement.

### **STEPS FOLLOWING APPROVAL**

The Health Department will work with the Budget Office, Department of Personnel, and the County Attorney's Office to implement this request and take the appropriate steps necessary to recruit and hire qualified candidates.

**A RESOLUTION SUBMITTED BY  
HEALTH DEPARTMENT**

RE: Personnel Adjustments – Erie County Correctional Health Services

WHEREAS, the Erie County Department of Health provides medical oversight and medical staffing to provide health care at the Erie County Correctional Facility and Erie County Holding Center under an Interdepartmental Agreement with the Erie County Sheriff; and

WHEREAS, pursuant to the 2011 Stipulated Order of Dismissal, correctional health issues are under oversight from a Technical Compliance Consultant from the U.S. Department of Justice; and

WHEREAS, that consultant has recommended that in order to provide necessary nursing oversight, one position of Quality Improvement Nurse-Correctional Health and one position of Assistant Director of Nursing-Correctional health should be created.

NOW, THEREFORE, BE IT

RESOLVED, that in order to satisfy the recommendation of the U.S. Department of Justice’s technical compliance consultant for Correctional Health, the Erie County Legislature hereby authorizes the creation of one full-time competitive managerial-confidential position of Assistant Director of Nursing-Correctional Health, JG 14, Step 0 (\$55,434 annual salary) B-100 #8178 and one full time position of a Quality Improvement Nurse-Correctional Health, JG 10, Step 1 (\$55,284 annual salary) B-100 #8179 in the NYSNA bargaining unit, with both positions to be budgeted in cost center 1276010; and be it further

RESOLVED, that the following budgetary adjustments to the 2015 Budget are hereby authorized effective June 1, 2015:

Fund 110 - 2015 Budget  
12760 – Correctional Health Services Division

<u>Expense Accounts</u>	<u>Increase/ (Decrease)</u>
500000 Full Time Salaries	\$ 65,580
502000 Fringe Benefits	\$ 35,413
Total	\$100,993

Fund 110 - 2015 Budget  
120- Social Services

<u>Expense Account</u>	<u>Increase/ (Decrease)</u>
525000 MMIS Medicaid Local Share	(\$100,993)
Total	(100,993)

and be it further

RESOLVED, that the Division of Budget and Management is authorized to make the necessary budgetary transfers to provide funding for these two positions; and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Erie County Sheriff, the County Executive, the Office of the Comptroller, the Department of Personnel, the Director of Labor Relations, the Division of Budget and Management, the Department of Law and to Commissioner Gale R. Burstein in the Erie County Department of Health.