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# COUNTY OF ERIE

**MARK C. POLONCARZ**

COUNTY EXECUTIVE

May 16, 2012

HHS

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

**RE: Erie County Correctional Health Services Management**

Dear Honorable Members:

As part its revised approach to addressing the myriad of challenges in correctional health, the County has developed and is proposing a new leadership plan. This plan involves the creation of a new position of Director of Nursing as well as offering a variable minimum to recruit for the vacant position of Director of Correctional Health Services.

These two positions will complement the role occupied by Dr. Edwin Heidelberger who serves as Chief Medical Officer under a contract between the County and the University at Buffalo's Department of Family Medicine. Acting together as a 'leadership trio' these three individuals will be able to finalize needed policies for correctional health, while implementing long term quality assurance programs. The result will be a better functioning, and more accountable correctional health apparatus. These personnel reallocations will be effectuated with a savings to the County of just under \$20,000 annually.

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

Sincerely,

Mark C. Poloncarz, Esq.  
Erie County Executive

MCP  
Enclosure

10E-10

## **MEMORANDUM**

**To:** Honorable Members of the Erie County Legislature  
**From:** Department of Health  
**Re:** Erie County Correctional Health Services Management  
**Date:** May 16, 2012

### **SUMMARY**

Authorization is requested to create a position of Director of Nursing-Jail Health in the Department of Health, Division of Correctional Health Services and to hire and fill the position at a variable minimum, and to provide a variable minimum for the vacant position of Director of Correctional Health Services, in order to more effectively provide healthcare services to the prisoner and inmate populations of the Erie County Holding Center and the Correctional Facility.

### **FISCAL IMPLICATIONS**

No additional County dollars are required for this request. Funding will be obtained through the deletion of two (2) vacant positions in the Department of Health's Division of Correctional Health Services. If approved, the reallocations will realize a net savings to the County (annualized) of \$19,739.

### **REASONS FOR RECOMMENDATION**

The Department of Health - Correctional Health Services continually operates twenty-four hours a day, seven 7 days a week, 365 days a year; this includes medical staff regularly providing direct patient care and regularly being on call for medical decisions. This staff requires the highest quality leadership, including specific nurse leadership.

### **BACKGROUND INFORMATION**

With the advice of experts in the field of correctional health, the Department of Health has developed a leadership plan that will establish a 'leadership trio' of:

- Director of Correctional Health (budgeted, but vacant position)
- Director of Nursing – Jail Health (newly proposed position)
- Chief Medical Officer (contracted from the University of Buffalo)

The County currently has a Chief Medical Officer function provided by a contracted physician. The County's 2012 Budget includes a vacant position of Director of Correctional Health Services for which authorization for a variable minimum is requested. The Department of Health proposal includes creating the new position of Director of Nursing – Jail Health, job group 16, and funding it at step 4.

Competitive salaries in other healthcare organizations for the position of Director of Correctional Health Services and the new position of Director of Nursing – Jail Health are higher than step 0 and recruitment at step 0 has been unsuccessful.

The cost for the new position and variable minimums will be covered by the deletion of two Registered Nurse-Holding Center positions (JG 8, Step E). The County has been unable to fill these positions.

### **CONSEQUENCES OF NEGATIVE ACTION**

The Department of Health will be unable to adequately manage the Division of Correctional Health and could lead to negative consequences from the US Department of Justice under the stipulated order of dismissal.

### **STEPS FOLLOWING APPROVAL**

The Health Department will work with the Division of Budget and Management and the Department of Personnel 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 Sheriff is responsible for health care at the Erie County Correctional Facility and the Erie County Holding Center; and

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, the need for strong nursing leadership is crucial for correctional health; and

WHEREAS, correctional health experts, including Erie County’s technical compliance consultants have advised the County that it should have a Director of Nursing-Jail Health role/title; and

WHEREAS, the position of Director of Correctional Health Services has been vacant since January 2012 and recruitment at step 0 has been unsuccessful; and

WHEREAS, as such, the Department of Health is requesting creation of a position of Director of Nursing-Jail Health at a variable minimum and requesting approval to establish a variable minimum for the vacant position of Director of Correctional Health Services; and

WHEREAS, funding for this restructuring will be furnished by the deletion of two vacant positions in the Division of Correctional Health, with no adverse 2012 budgetary impact.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature hereby authorizes a variable minimum hiring level in order to facilitate the recruitment of a Director of Correctional Health Services for the Health Department’s Division of Correctional Health as follows:

Number of Positions	Bargaining Unit	Title	Job Group	Current Budgeted Step	New Step Variable Minimum	New Annual Salary	2012 Budgeted Annual Salary
1	CSEA	Director of Correctional Health	16	Step 2	Step 4	84,949	76,452

and be it further

RESOLVED, that the Erie County Legislature hereby authorizes the creation of one full time position of Director of Nursing –Jail Health, Job Group 16, Step 4 (annual salary \$84,949); and be it further

RESOLVED, that funding to effectuate these personnel reallocations will be effectuated from deleting two vacant positions of Registered Nurse, Job Group 8, Step E, resulting in overall net annualized savings of \$19,739; 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.