



SR0098

LRB101 10662 ALS 55770 r

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SENATE RESOLUTION

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WHEREAS, The Illinois Constitution reads, in SECTION 2. DUE PROCESS AND EQUAL PROTECTION, "No person shall be deprived of life, liberty or property without due process of law nor be denied the equal protection of the laws"; and

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WHEREAS, The November 2018 Summary Report of the Second Court Appointed Expert Filed in the District Court for the Northern District Court of Illinois finds that 1/3 of the deaths occurring at the Illinois Department of Corrections were preventable; and

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WHEREAS, Illinois has averaged 19 healthcare professionals for every 1,000 inmates, compared to the national average of 40 healthcare professionals for every 1,000 inmates, ranking seventh lowest in the United States in terms of per capita spending per year; and

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WHEREAS, The 2018 Summary Report finds that the conditions of the healthcare provided in the Illinois Department of Corrections have not improved or have become far worse since 2015; the report reads, in part, "Overall, the health program is not significantly improved since the First Court Expert's report. Based on record reviews, we found that clinical care was extremely poor and resulted in preventable morbidity and

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1 mortality that appeared worse than that uncovered by the First  
2 Court Expert"; and

3 WHEREAS, The 2018 Summary Report finds staffing to be a  
4 major issue in providing necessary and adequate care to stop  
5 preventable deaths at the Illinois Department of Corrections  
6 and states, "The IDOC does not have a staffing plan that is  
7 sufficient to implement IDOC policies and procedures. The  
8 staffing plan does not incorporate a staff relief factor.  
9 Custody staffing has also not been analyzed relative to health  
10 care delivery to determine if there are sufficient custody  
11 staff to deliver adequate medical care. Staff vacancy rates are  
12 very high"; and

13 WHEREAS, The 2018 Summary Report finds lack of hiring of  
14 properly-licensed physicians to provide the necessary care  
15 needed and links it to preventable deaths impacting monitoring  
16 of sanitation, management of chronic disease, infection  
17 control, necessity of specialty care, and periodic  
18 examination; in this case, "The vendor, fails to hire properly  
19 credentialed and privileged physicians. This appears to be a  
20 major factor in preventable morbidity and mortality, and  
21 significantly increases risk of harm to patients with the  
22 IDOC...It is our opinion that the quality of physicians in the  
23 IDOC is the single most important variable in preventable  
24 morbidity and mortality, which is substantial"; and

1           WHEREAS, The 2018 Summary Report finds inadequate  
2 accommodation for the elderly and the disabled and states,  
3 "Housing of the elderly and disabled is inadequate"; and

4           WHEREAS, The 2018 Summary Report finds the dental care  
5 below adequate, noting, "Dental care continues to be below  
6 accepted professional standards and is not minimally  
7 adequate...There is no dentist on staff"; and

8           WHEREAS, The 2018 Summary Report finds the lack of  
9 authority given to the Illinois Department of Corrections  
10 Agency Medical Director is a critical issue that correlates  
11 with the overall monitoring of quality of care; it was noted  
12 that "The Agency Medical Director has limited responsibility  
13 with respect to the health program. He is responsible for  
14 formulation of statewide health care policy and chronic care  
15 guidelines. Through subordinates, he monitors and reviews  
16 medical services, but he has insufficient physician staff to  
17 perform adequate monitoring, especially for physician care. He  
18 has no authority to manage operations of the health program. He  
19 has no responsibility for the budget except in a consultative  
20 role. He participates in scoring prospective vendors of the  
21 medical contract and in reviewing staffing recommendations in  
22 the contract. But this is mostly an advisory and consultative  
23 role. According to his job description and interview, he does

1 not function as the authority in establishing budgets, staffing  
2 levels, or equipment purchases. Although he appears to be the  
3 final clinical medical decision maker, one has to infer this  
4 responsibility because it is nowhere stated in his job  
5 description"; and

6 WHEREAS, The 2018 Summary Report finds the impact of  
7 vendors hired by the Illinois Department of Corrections  
8 self-monitoring their services is an impediment of improvement  
9 of healthcare provided at IDOC facilities; the report states,  
10 "The Wexford Regional Medical Directors are responsible for  
11 ensuring that direct patient care is consistent with community  
12 standards and with contract requirements. They supervise the  
13 facility Medical Directors and are responsible for peer reviews  
14 of Medical Directors, and must ensure and/or conduct death  
15 reviews. Since there is inadequate oversight by the IDOC over  
16 physicians, the supervision of Wexford Regional Medical  
17 Directors is the only oversight of physicians. Wexford is  
18 thereby evaluating its own performance and does this extremely  
19 poorly"; and

20 WHEREAS, The 2018 Summary Report finds the same conditions  
21 in clinical space as the First Summary Report of 2015; the  
22 report notes, "In the final report, the First Court Expert  
23 noted that clinical space, sanitation, and equipment were  
24 problematic at virtually every facility...Overall, we found

1 problems with nurse sick call rooms, infirmary spaces, and  
2 examination rooms in all facilities we visited. The dialysis  
3 unit at SCC is inadequate and needs renovation. These problems  
4 detracted from the ability to provide care"; therefore, be it

5       RESOLVED, BY THE SENATE OF THE ONE HUNDRED FIRST GENERAL  
6 ASSEMBLY OF THE STATE OF ILLINOIS, that we urge the Illinois  
7 Department of Corrections to put in place processes and  
8 measures to implement the recommendations of the November 2018  
9 Summary Report of the Second Court Appointed Expert filed in  
10 the District Court for the Northern District Court of Illinois  
11 and to provide this General Assembly with a written report of  
12 its initiatives and impact by the end of the 2019 Legislative  
13 Session.