



Piedmont Regional Jail Interim Superintendent Donald L. Hunter shakes hands with MEDIKO founder and president Kaveh Ofogh, MD. Last month, the jail board approved a contract with MEDIKO, a Virginia-based company that provides medical services for correctional facilities throughout the state, including its two largest regional jails. (Photo by Ilsa Loeser)

# Jail Reboots Medical Care

## *MEDIKO Wins Bid To Provide Medical Services*

By ILSA LOESER

CUMBERLAND — The United States Department of Justice (DOJ) released a scathing letter of finding regarding an investigation on Piedmont Regional Jail's medical care of inmates over a year ago. And now that a settlement has been reached, the jail is finally seeing the cost for providing sufficient medical care for its inmates. The price tag is a little more than expected.

After learning of a series of deaths at Piedmont Regional Jail, The Civil Rights Division of the DOJ began an investigation into the jail's medical practices. The findings, published a year ago, stated that the jail was denying basic medical and mental health care for the inmates, "consequently places prisoners at an unreasonable risk of serious harm, in violation of the Constitution."

Since then, the jail has been in negotiations with the DOJ to reach a settlement agreement, which outlines the steps they must take to rectify past deficiencies in their medical care of prisoners. The agreement requires the jail to increase its medical staff and revise and create new medical policies in response to the DOJ's findings. (See article in August 2 edition of *The Herald* for full coverage of the letter of findings and the settlement agreement).

The jail board unanimously voted to approve the agreement during their June meeting. And, now, they will have to put their money where their mouth is. During their September 25 meeting, the board voted to approve a contract with MEDIKO PC for basic inmate medical care. MEDIKO is a Virginia-based company that provides medical services to correctional facilities.

MEDIKO currently provides health care services for inmates in five other regional jails in Virginia, including the two largest, as well as two County jails. They also provide services for the Virginia Department of Corrections and some regional Community Service Boards.

The board issued a request for proposals two months ago, which was based on the settlement agreement with DOJ.

While the DOJ has not yet signed the

settlement agreement, Interim Superintendent Donald L. Hunter hopes that the newly approved medical contract will keep the jail ahead of the game.

"(MEDIKO) signed the contract with the understanding that they are going to meet and exceed all of the Department of Justice requirements," Hunter told *The Herald*.

The base contract will cost the jail just under \$1.2 million a year, \$350,000 more than is currently budgeted for inmates' basic medical care.

And that is just for basic care for a minimum number of inmates. The base contract will cover up to 500 inmates. On the day the board voted to approve the contract, the jail had over 550.

With the new contract, the jail will pay a flat rate of \$6,843 a month, beyond the base contract, for housing 500-599 inmates. If the numbers grow to 600, the jail would pay \$20,177 a month beyond the base contract. The cost of excess prisoners would be assessed monthly and based on the average daily population reported to the state.

The timing isn't the best, as localities participating in the jail are chaffing under increased costs for housing their inmates. Until a year ago, the jail had been basically self-sufficient. Now counties pay to house their inmates, albeit one of the cheapest rates among prisons throughout the state, according to the annual Jail Cost Reports issued by the Commonwealth of Virginia Compensation Board.

But, some of those increased costs are due to the DOJ investigation itself. Both federal inmates and U.S. Immigration and Customs Enforcement detainee numbers declined due to concerns raised in connection to the jail's medical practices.

Federal inmates housed at the jail provide a revenue stream that helps offset expenses to localities, according to jail officials. Officials are hopeful that once the settlement with the DOJ is signed, the number of federal prisoners will grow, increasing the outside revenue to the jail.

Now, however, as inmate numbers grow, the jail board has to wrestle over how much of an increase is needed to offset the costs of the medical contract.

When Hunter presented the numbers to the board he explained that the daily population at the jail is growing. The jail is receiving more local inmates from the participating counties, as well as more federal inmates, he told the board.

The contract does not include pricing for if the jail exceeds 700 inmates, which it consistently did in the past when it housed a larger population of federal inmates, according to Hunter. Currently, the jail has around 130 federal inmates. In the past, they regularly housed over 300.

If the jail exceeds 700 inmates, Hunter says they will have to renegotiate that aspect of the contract with MEDIKO.

In the past, the focus was on getting as many federal inmates as possible. "We have to do the calculations to see what will benefit us, more so than just packing them in," Hunter told *The Herald* last week.

"We're just going to have to find a safe number for us to do both," he continued, "to make sure we are maintaining a safe operation but also to make sure that the localities are paying the minimum that's possible."

But, even though medical costs will be rising for Piedmont, the medical costs for the jails MEDIKO serves are consistently below the state average, according to MEDIKO founder and president Kaveh Ofogh, MD.

Even with the low cost, however, none of the jails his company has served since its founding 17 years ago has lost or settled a single lawsuit related to their medical department, he points out.

"We provide what the constitution dictates to us to do," says Dr. Ofogh. His company's duty is to provide adequate and timely healthcare and mental health service to the inmates, Dr. Ofogh continues, "Because we have done that, we have not lost a single lawsuit but at the same time we didn't burn taxpayer's money. We were able to keep all our jail costs below the state average...for 12 years in a row..."

The contract began September 1. During a conversation earlier this week with *The Herald*, Dr. Ofogh says he is very honored to be working with Piedmont Re-

gional Jail. The staff and administration has been very helpful, he added.

MEDIKO interviewed and offered positions to the nurses currently working at Piedmont Regional Jail, according to Dr. Ofogh. They all accepted and are now MEDIKO employees. Full- and part-time employees receive benefits, which include a retirement plan, as well as health, life and dental insurance.

MEDIKO medical staff at the jail includes 10 full-time employees: six Licensed Professional Nurses (LPN's), one medical secretary, one registered nurse (as director of nursing), one qualified mental health professional and one health services administrator. Also, they will provide a doctor onsite three days a week and a psychiatrist one day a week.

At the time of the investigation, the jail only had one physician and two LPN's. The jail did not have a psychiatrist, according to the DOJ, which described the situation as a "gross violation of standard medical practice."

Importantly, MEDIKO does not plan to use a nurse practitioner or physician assistant at this time, Dr. Ofogh said, "I personally didn't feel it's appropriate at this time to use any mid-level health care providers for this facility, due to the fact that they are the only regional jail that are under (a) microscope right now."

He adds, "I wanted to make it clean, straight. It would have been more cost-effective, but not legally right at this time."

Dr. Ofogh feels the health service administrator will play an important role in making sure the DOJ requirements are met. The administrator has an MBA degree with experience in correctional medicine.

"Most jails don't go this far," says Ofogh, adding that the situation is very unusual. But, he points out that his company brings more than 100 years of combined experience in management of health care services in correctional facilities and has dealt with complex and challenging situations before.

He was energetic when he spoke with *The Herald*, "We are confident we can solve the problem working with them. I think they are very good people on board."