

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC HEARING BEFORE JOINT COUNCIL COMMITTEES ON
4 PUBLIC SAFETY AND HEALTH & HUMAN SERVICES

5 - - -
6 Room 696, City Hall
7 Philadelphia, Pennsylvania
8 Tuesday, 6/11/02, 10:30 a.m.
9 - - -

10 RESOLUTION NO. 010598
11
12
13
14

15 PRESENT: Councilman Angel Ortiz, Chair
16 Councilman Darrell L. Clarke
17 Councilman Frank DiCicco
18 Councilman W. Wilson Goode, Jr.
19 Councilman Frank Rizzo
20 Council President Anna C. Verna
21

22 - - -
23 VINCENT VARALLO ASSOCIATES, INC.
24 Registered Professional Reporters
25 Eleven Penn Center, Suite 600
Philadelphia, PA 19103
(215) 561-2220

1 6/11/02 PUB. SAFETY/HEALTH HUM. SVS. - RES. 010598

2 COUNCILMAN ORTIZ: A quorum has been
3 established on the Public Safety Committee and
4 Health. We will now have a committee meeting on
5 Resolution No. 010598, and I'd just like to read
6 into the record some of the findings of the last
7 two years of report.

8 We have Council President Verna,
9 Councilman Frank Rizzo, Councilman Clarke,
10 Councilman Wilson Goode, and Councilman Frank
11 DiCicco.

12 Over the last two years, this committee
13 has had hearings on medical services that are being
14 provided to the City of Philadelphia. The hearings
15 were commenced at a time in which, and because of
16 the untimely death of Jose Santiago, who died from
17 the lack of treatment and not being assessed quick
18 enough for his insulin problem.

19 The committee, after hearings and
20 reports that were submitted to the prison system by
21 private consultants hired by the City of
22 Philadelphia, presents the following and has the
23 following recommendations:

24 The contract should be immediately
25 revised to that health-service objectives are

1 6/11/02 PUB. SAFETY/HEALTH HUM. SVS. - RES. 010598
2 quantifiable or measurable.

3 The contract should establish clear
4 requirements for treatment standards of care,
5 especially for chronic illnesses, including
6 diabetes, AIDS, and mental-health conditions.

7 A system of financial penalties should
8 be assessed for failure to meet performance goals.
9 PHS has a contract of this nature with the City of
10 New York, so they should have no objections in
11 complying with similar provisions in our local
12 contract.

13 We recommend the City immediately
14 overhaul the existing PHS contracts that are
15 consistent with the letter and spirit of this
16 recommendation and report back to this Council
17 Committee at its next public hearing tentatively
18 planned for October.

19 Should PHS not agree to such terms,
20 then the City should move ahead to cancel the
21 existing contract and secure the services of other
22 health providers or consider other government-
23 sponsored health-care service delivery models.

24 The contract term. The PHS contracts
25 are annual, with multi-year renewal options. This

1 6/11/02 PUB. SAFETY/HEALTH HUM. SVS. - RES. 010598
2 is done with many contracts in the City to avoid an
3 added bureaucratic layer involving City Council
4 approval. However, the City can no longer afford
5 to arbitrarily continue issuing contracts of this
6 size and magnitude without a degree of City Council
7 review.

8 The City Council should revisit its
9 role and authority with regard to automatic
10 contract renewals, particularly those having
11 implications for the health and safety of the
12 City's residents.

13 The prison health contract should not
14 be renewed beyond FY 2003 without City Council
15 approval. City Council should enact the
16 appropriate legislation if necessary.

17 Operations audit. Over the course of
18 the last eight months, we have been working with
19 the office of City Controller to develop the
20 criteria and standards for a comprehensive
21 operations audit of PHS Incorporated, the health
22 services provider. The audit will look at
23 identifying deficiencies, but would provide
24 operational recommendations for improvement, which,
25 we believe, would go a long way in producing

1 6/11/02 PUB. SAFETY/HEALTH HUM. SVS. - RES. 010598
2 costs-savings and improving the service delivery.
3 A contract for services has been developed with
4 estimated costs of the order of approximately
5 \$100,000. We have spent much more this in lawsuit
6 settlements. It is, therefore, recommended that
7 the City immediately make the financial
8 appropriations to begin this audit by September of
9 2002. A status report will be requested at the
10 October public hearing of this hearing. --

11 An independent board. Too many
12 incidents and circumstances surrounding inmate
13 deaths and other legitimate complaints of
14 inadequate care have signaled a need to establish
15 an independent prison health monitoring board.
16 Many service providers and community activists are
17 recommending the creation of such an entity. The
18 health board would assume responsibility for
19 reviewing the goals and performance of the health
20 delivery system in our prisons.

21 The envisioned board would be comprised
22 of experts on infectious diseases, behavioral
23 health, and primary medical care. The composition
24 of such a board could include, for example,
25 clinical experts with prison utilization review

1 6/11/02 PUB. SAFETY/HEALTH HUM. SVS. - RES. 010598
2 experience, retired or independent prison health
3 physicians, City Council representation, prison
4 health activists, as well as representatives of
5 major medical bodies for chronic illness such as
6 the American Diabetic Association and the American
7 Heart Association.

8 The board would serve as an independent
9 watchdog of the prison health care system. Details
10 of such an entity are still being developed, and
11 consultation with appropriate City officials and
12 health professionals and community providers must
13 still take place.

14 We believe this independent board
15 created by an act of this legislative body. A
16 specific legislative initiative will be proposed
17 for this Council's consideration.

18 Finally, Council's continuing
19 investigation of the delivery of medical and
20 behavioral services in the Philadelphia system has
21 brought to the foreground evidence and stories of
22 substandard treatment jeopardizing the lives of
23 human beings and enhancing the City's exposure to
24 liability. Thus, there is still much information
25 the City needs to provide this committee in order

1 6/11/02 PUB. SAFETY/HEALTH HUM. SVS. - RES. 010598
2 to make a better and balancing evaluation of the
3 state prison health care in our city.

4 For example, we need and will be
5 requesting, among others things, the entire
6 inventory of past and current cases and claims
7 against PHS and/or the City and the identity of all
8 doctors and their medical license numbers employed
9 by PHS and documentation indicating whether
10 approval was granted by the Health Commissioner to
11 permit PHS to employ doctors who might have been
12 the subject of disciplinary action or medical
13 malpractice defendants.

14 These recommendations are simple, they
15 are to the point; they just go to try to bring
16 together information so that we do not continuously
17 incur into the problems of liability and lawsuits
18 that have been the current practice over the last
19 ten years.

20 I submit this report to the committee.

21 All right?

22 Do you want to make a motion?

23 COUNCILMAN GOODE: Mr. Chairman, I move
24 that the Interim Committee Report of Resolution No.
25 10598 be approved by the committee.

1 6/11/02 PUB. SAFETY/HEALTH HUM. SVS. - RES. 010598

2 (Duly seconded.)

3 COUNCILMAN ORTIZ: A motion has been
4 made that the report be approved by this committee,
5 and the interim committee report by this committee
6 has been made and properly seconded

7 All those in favor say aye.

8 All those opposed, say nay.

9 The ayes have it.

10 The Interim Committee Report on
11 Resolution 10598 stands approved. It will be
12 submitted to the whole Council in the next session.

13 This committee stands in recess.

14 - - -

15 (Committee proceedings end at
16 10:45 a.m.)

17

18

19

20

21

22

23

24

25

1

2

CERTIFICATE

3

4

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia's meeting of the Committee on Public
Health and Human Services of Tuesday, June 11,
2002, are contained fully and accurately in the
stenographic notes taken by me, and that this is a
true and correct transcript of same.

11

12 RE: Resolution No. 010598

13

14

15

16

Josephine Cardillo

17

Registered Professional Reporter
and Notary Public

18

19

20

21

22

23

24

25

(The foregoing certification of this
transcript does not apply to any reproduction of
the same by any means, unless under the direct
control and/or supervision of the certifying
reporter.)