



## Legislative Fiscal Bureau

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Joint Committee on Finance

Paper #243

### **Oakhill Correctional Institution Assisted Needs Facility (Corrections -- Adult Institutions)**

[LFB 2021-23 Budget Summary: Page 125, #8]

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#### **DISCUSSION POINTS**

1. Under 2017 Act 9, Corrections was authorized \$7,000,000 in general fund-supported borrowing for the construction of a geriatric correctional facility (re-named Assisted Needs Facility under 2019 Act 9) for male offenders. The 65-bed barracks bunk-style housing unit (15 hospital beds and 50 standard beds) will provide limited medical services to assist inmates with daily living activities. The project was designed to help the Department address the growing number of inmates that require alternate accommodations, increased access to medical resources due to lack of mobility, diminishing cognitive ability, poor physical health, or other impairments that prevent an inmate from being fully independent.

2. The project is being built on the Oakhill Correctional Institution grounds (a minimum-security facility) in Oregon, Wisconsin. Construction of the facility began in August, 2020, and is anticipated to be completed in early October, 2021. As a result, staffing is needed to operate the unit in early 2021-22 (so that staff are hired and trained prior to the opening, given the specialized nature of the unit) and annually thereafter.

3. The Department's institutional population includes a high geriatric population (on July 1, 2020, 7.7% of the male inmate population and 4.2% of the female inmate population was 60 years or older), in addition to inmates with disabilities or other impairments. As a result, the Department anticipates filling the 65 beds "almost immediately" upon opening. Inmates best suitable for placement in the Assisted Needs Facility will be determined closer to the opening date of the unit, and will likely include factors such as use of wheelchairs/walkers, need to be in a lower bunk, inability to use stairs, and specialized mattress/bed needs.

4. In order to open the unit, additional staffing is needed. Specifically, 58.35 GPR positions were identified under the budget bill including: 17.5 nursing assistants, 12.5 nurse clinicians, 12.5 correctional officers, 6.25 correctional sergeants, 2.0 food service leaders, 1.0 facilities maintenance specialist-advanced, 1.0 therapist (recreation), 1.0 licensed psychologist, 1.0 nursing supervisor, 1.0 clinical social worker, 1.0 medical program assistant associate, 1.0 correctional program supervisor, and 0.6 advanced practice nurse prescriber. This staffing pattern is consistent with skilled nursing units at Dodge Correctional Institution (DCI) and Oshkosh Correctional Institution (OSCI), which similarly work with high-needs inmate populations.

5. Under the bill, 22.75 vacant GPR positions would be reallocated for this purpose. Initially, the positions identified for reallocation were from various programs in the Divisions of Adult Institutions and Management Services and included: 12.5 correctional officers, 6.25 correctional sergeants, 1.0 nursing supervisor, 1.0 nursing assistant, 1.0 facilities maintenance specialist-advanced, and 1.0 licensed psychologist. However, Corrections and the State Budget Office indicate that the intent is for Corrections to be able to make substitutions, if any of the vacant positions became filled or a more-suitable position(s) for reallocation is identified. As a result of the proposed reallocation, the Department would need additional position authority for 35.6 of the 58.35 positions, and would use approximately \$2,029,200 in 2021-22 and \$2,254,400 in 2022-23 of existing budget authority by reallocating the remaining 22.75 positions, as shown below:

<u>Division</u>	<u>Program</u>	<u>GPR Funding</u>		<u>GPR Positions</u>
		<u>2021-22</u>	<u>2022-23</u>	
Management Services	Bureau of Finance and Administrative Services	\$72,400	\$96,600	0.00
Management Services	Training Centers	201,000	48,100	0.00
Adult Institutions	Bureau of Health Services	105,600	206,300	-2.00
Adult Institutions	Institutions, Division Administration	292,300	386,500	0.00
Adult Institutions	Waupun Correctional Institution	-931,300	-944,700	-14.50
Adult Institutions	Green Bay Correctional Institution	-92,300	-103,900	-1.00
Adult Institutions	Wisconsin Women's Correctional System	-133,100	-147,800	-1.00
Adult Institutions	Fox Lake Correctional Institution	-104,000	-116,000	-1.00
Adult Institutions	Columbia Correctional Institution	-35,000	-46,000	0.00
Adult Institutions	Kettle Moraine Correctional Institution	-33,800	-44,400	0.00
Adult Institutions	Oakhill Correctional Institution	4,541,300	4,861,900	58.35
Adult Institutions	Dodge Correctional Institution	-121,400	-138,800	-1.00
Adult Institutions	Racine Correctional Institution	-54,200	-71,200	0.00
Adult Institutions	Wisconsin Resource Center	-11,400	-14,900	0.00
Adult Institutions	Oshkosh Correctional Institution	-137,000	-154,200	-1.25
Adult Institutions	Jackson Correctional Institution	-30,600	-40,100	0.00
Adult Institutions	Wisconsin Secure Program Facility	-25,900	-34,100	0.00
Adult Institutions	Racine Youthful Offender Correctional Facility	-22,700	-29,700	0.00
Adult Institutions	Redgranite Correctional Institution	-30,000	-39,400	0.00
Adult Institutions	New Lisbon Correctional Institution	-31,600	-41,500	0.00
Adult Institutions	Wisconsin correctional center system	-119,100	-135,800	-1.00
Adult Institutions	Chippewa Valley Correctional Treatment Institution	-18,700	-24,500	0.00
Adult Institutions	Prairie du Chien Correctional Institution	-21,300	-28,000	0.00
Adult Institutions	Stanley Correctional Institution	-37,400	-49,100	0.00
Adult Institutions	Milwaukee Secure Detention Facility	<u>-38,400</u>	<u>-50,300</u>	<u>0.00</u>
	TOTAL	\$3,183,400	\$3,345,000	35.60

6. The twenty-four hours a day, seven days per week medical staff would provide assistance and high-level daily care in a safer and more appropriate setting for aged and infirm residents, beyond what a general housing unit could support. While this specialized staffing and unit structure may result in a reduction of emergency medical trips (which may reduce costs), the Department indicates that "as the aging population increases, there may be more medical trips [including] planned appointments or emergency medical trips." This could be likely, given that: (a) the "baby boomer" population is currently between ages 57 and 75; (b) truth-in-sentencing legislation requires most inmates to serve their full incarceration sentences with no modifications; and (c) the facility, by its nature, will house inmates with complex medical issues. The unit does not operate or have the equipment that a hospital or medical clinic would, so certain medical needs would still require transportation offsite. The closest contracted hospital to the Oakhill Assisted Needs Facility is the University of Wisconsin Hospital (approximately 15 miles away).

7. Assembly Bill 68/Senate Bill 111 additionally would provide funding for start-up supplies and services (including whiteboards, desks, computers, and desk chairs) as well as \$50,000 in 2021-22 and \$10,000 in 2022-23 for the purchase of a handicapped van and vehicle upkeep. Corrections currently owns 17 handicapped vans, which are permanently assigned to specific institutions. Each van is equipped with two wheelchair seats and five traditional seats. The vans are used to transport inmates to court hearings and outside medical appointments. Given that a single institution may have multiple individuals needing to go to different appointments, possibly at different locations, through the course of a single day, multiple vans at certain facilities may be necessary. In addition, certain appointments may take all day, certain inmates may not be able to be transported together due to security restrictions, and/or unexpected delays at appointments may cause cascading delays for other scheduled trips. This is especially true for institutions with high elderly or disabled populations, such as DCI and OSCI, which have skilled nursing units, and Oakhill, which will have the Oakhill Assisted Needs Facility in the 2021-23 biennium.

8. Dodge Correctional Institution had an average daily population of 1,630 in 2019-20, including 60 high-need infirmary beds, and three handicapped vans. Oshkosh Correctional Institution had an average daily population of 2,035 in 2019-20, including 17 long-term care beds, and two handicapped vans. Oakhill Correctional Institution had an average daily population of 745 (810, when including the 65 beds to be added to the Assisted Needs Facility in 2021) and currently two handicapped vans. When looking at just the high-need units (with populations most likely to need the handicapped vans), DCI has an inmate-to-van ratio of 20:1, OSCI has a ratio of 8.5:1, and OCI would have a ratio of 21.7:1 for the new facility's population, including a third van. Even with the additional vehicle, OCI would still have a higher ratio than similarly-situated institutions.

9. Funding and positions need to be provided, if the facility is to open in October, 2021. Given that the staffing pattern is consistent with other high-needs units, and that additional handicapped individuals will reside at the facility, the Committee could provide \$3,136,100 GPR in 2021-22, \$3,345,000 GPR in 2022-23, and 35.60 positions to staff the facility and provide for additional handicapped vehicle. This alternative includes a minor modification to the funding provided under the bill in 2021-22 to correctly reflect inmate supply costs. In addition, this alternative would require the Department to reallocate an additional 22.75 vacant GPR positions (for a total of 58.35 positions) and associated funding to fully staff the unit. [Alternative 1]

10. The initial 22.75 reallocated positions were determined by comparing positions included in each budget item with long-term vacancies (12 months or more). As noted, however, DOA intends to provide the Department with discretion to make substitutions when necessary. The Committee could require Corrections to identify and reallocate 17.0 additional vacant GPR positions to fully staff the Oakhill facility (approximately half of the newly created positions identified in the bill), which would require a total of 39.75 reallocations (the initial 22.75 plus an additional 17.0) and 18.6 newly-created positions. As of May 1, 2021, the Department had 184.08 vacant positions in the general program operations appropriation (to which the Assisted Needs Facility positions would be budgeted) existing for one year or more. Given that the Department would have discretion to choose which positions to reallocate, an average annual salary (\$42,400) and fringe benefit cost (\$21,500) for all of the 184.08 vacant positions could be used to reduce funding for the new positions by -\$1,086,300 annually (for a total cost of \$2,049,800 GPR in 2021-22 and \$2,258,700 GPR in 2022-23). This alternative would require Corrections to reallocate 39.75 vacant GPR positions and would require position authority for the remaining 18.6 to fully staff the facility. This alternative would also exclude reallocated supplies and services funding, given the differences between position types and institutions. [Alternative 2] Note that additional reallocated positions may not align with the position's intended purpose (for example, a teacher position may be reclassified and reallocated as a social worker position).

11. In addition, while long-term vacancies exist in the requisite appropriation, the Department indicates that "because there is so much uncertainty about where future DAI and DCC [Division of Community Corrections] populations are going to trend, there would be a concern in DOC to continue making additional reallocations for the 2021-23 biennial budget beyond the...long-term vacant positions already proposed for reallocation." Alternative 2 provides additional reallocations, beyond what was identified in the bill. However, additional position reallocations beyond this amount were not identified for various reasons, including:

- Beginning March 20, 2020, a hiring freeze was instituted for executive branch agencies, with the following exceptions: (a) positions in support of the COVID-19 response; (b) positions deemed essential by the agency head; and (c) non-essential positions approved by the Secretary of the Department of Administration. As such, vacant positions, including longer-term vacancies, have not generally been permitted to be filled by agency heads under this policy, which currently remains in effect.

- Of the 184.08 long-term vacancies in the general program operations appropriation, 109.0 (59.2%) are in security positions. Given that correctional institutions require twenty-four hour, seven-day-a-week security at certain staffing levels for safety reasons, existing security personnel are required to work overtime to staff all needed posts. Eliminating security position vacancies would not eliminate the need to staff security posts, but it would eliminate the possibility that the positions could be filled by additional staff in the future (and thereby, reduce overtime).

- While positions may be identified as vacant as of May 1, 2021, it is likely that Corrections is currently in the process of recruiting individuals to fill some of the positions, or has completed the recruitment process. Therefore, some of the positions identified may be filled in the near future. In addition, a vacancy does not mean the position is not needed.

- While it is unknown to what extent the COVID-19 pandemic impacted vacancies, it likely had a negative impact as: (a) potential employees may have had concerns about the current health risks of the prison work environment, given the nature in which COVID-19 is spread, and may have been hesitant to apply for vacant positions; and (b) turnover may have occurred as a direct result of COVID-19 infections.

12. Ultimately, requiring the Department to identify 39.75 vacant GPR positions for reallocation represents an approximate middle ground between the reallocations identified under the bill (22.75 positions), and reallocating all 58.35 recommended positions. If the Committee chooses Alternative 2 and Corrections is unable to reallocate the necessary positions, the Department would be able to request additional positions under the s. 13.10 process, if needed in the future. Funding for the positions, however, would need to be reallocated from within existing appropriations.

13. The 2021-23 budget instructions required each agency to request positions in the first year (2021-22) for nine months or less, to give agencies time to recruit and hire newly authorized positions in the budget. However, given that the opening date of the Assisted Needs Facility is October, 2021, and that specialized training is needed for all staff prior to opening given the unique needs of unit residents, the bill would provide positions for nine months in 2021-22, and additionally would create pool code (surplus) positions for the first three months of 2021-22 to allow staff to be hired and trained in advance of the opening. This position structure is not optimal as it requires the Department to prepare for new positions (recruitment) in 2020-21 before knowing if the positions will be authorized, and it creates administrative difficulties as pool code positions then need to be created and subsequently deleted in October, 2021, when the full-time equivalent (FTE) positions are officially authorized to start.

14. To avoid these issues, the Committee could authorize the Department to hire staff for 11 months in 2021-22 (and 10 months for officers and sergeants, since they will still have pre-service training). While this alternative increases the length of FTE staffing in 2021-22, it would allow the pool code positions to be deleted, and as a result, would require slightly less funding than Alternative 1 (\$3,124,100 GPR in 2021-22 and \$3,345,000 GPR in 2022-23 for the same 35.60 positions). Under this alternative, Corrections would have approximately one month to recruit and hire staff in 2021-22, and staff would have approximately two months to be trained before the facility opens. Like Alternative 1, this alternative would still require the Department to reallocate an additional 22.75 vacant GPR positions (for a total of 58.35 positions) and associated funding to staff the unit. [Alternative 3]

15. If the Committee chooses to take no action, the facility will likely not be able to begin operation in October, 2021. [Alternative 4]

## **ALTERNATIVES**

1. Provide \$3,136,100 GPR in 2021-22, \$3,345,000 GPR in 2022-23, and 35.60 GPR positions annually to staff the Oakhill Assisted Needs Facility and to purchase and maintain a handicapped van. Require Corrections to reallocate an additional 22.75 vacant GPR positions (for a total of 58.35 positions) and associated funding to staff the facility.

<b>ALT 1</b>	<b>Change to Base</b>	
	<b>Funding</b>	<b>Positions</b>
GPR	\$6,481,100	35.60

2. Provide \$2,049,800 GPR in 2021-22, \$2,258,700 GPR in 2022-23, and 18.6 GPR positions annually to staff the Oakhill Assisted Needs Facility and to purchase and maintain a handicapped van. Require Corrections to reallocate an additional 39.75 vacant GPR positions (for a total of 58.35 positions) and associated funding to staff the facility.

<b>ALT 2</b>	<b>Change to Base</b>	
	<b>Funding</b>	<b>Positions</b>
GPR	\$4,308,500	18.60

3. Provide \$3,124,100 GPR in 2021-22, \$3,345,000 GPR in 2022-23, and 35.6 GPR positions annually to staff the Oakhill Assisted Needs Facility under a modified staffing structure which would provide security positions for 10 months and non-security positions for 11 months in 2021-22 (instead of nine months), and eliminate the need for temporary pool code positions, and to purchase and maintain a handicapped van. Require Corrections to reallocate an additional 22.75 vacant GPR positions (for a total of 58.35 positions) and associated funding to staff the facility.

<b>ALT 3</b>	<b>Change to Base</b>	
	<b>Funding</b>	<b>Positions</b>
GPR	\$6,469,100	35.60

4. Take no action.

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