

Legislative audit of Utah prison system healthcare called 'troubling'

by Wendy Halloran, KUTV

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<https://kutv.com/news/2news-investigates/legislative-audit-of-utah-prison-system-healthcare-called-troubling>

Legislative audit of Utah prison system healthcare called "troubling." (KUTV)

(KUTV) — Inadequate medical care in the Utah State prison system- that's the key finding in an audit from the Utah Legislative Auditor General. That audit found "systemic deficiencies" in how the state delivers healthcare to prison inmates as it is constitutionally obligated to do so under the Eighth Amendment against cruel and unusual punishment. The Legislative Audit Subcommittee met on Tuesday to discuss the findings and wanted answers from Brian Nielson, the Executive Director of the Utah Department of Corrections and UDC Deputy Director Chyleen Richey.

Members didn't mince words.

Representative Brian King said, "This is, this is a troubling audit," and said the phrase systemic deficiencies is "troubling."

"What's the consequence when someone is mal-practiced on suffers an injury or perhaps even death because we failed to deliver competent medical services and treatment that satisfy general accepted standards of care for our inmates?" said King.

Utah House Speaker Brad Wilson said, "This audit is full of symptom after symptom of something that seems to be broken."

[Audit of Healthcare in State Prisons Presentation](#) by [Victoria](#) on Scribd

The Legislative Auditor General was asked by the Legislature to evaluate healthcare being administered in Utah's prison system to determine if any medical neglect had occurred. The Auditor General contracted with Doctor Mark Babitz, who has more than 40 years of clinical experience. Babitz reviewed 76 cases that spanned over a three-year period.

Findings:

- Several inmates were given inadequate or inappropriate care
- Follow-up and patient monitoring are insufficient.
- Improper monitoring of diabetes presents a serious risk to some inmates.
- Oversight of prison medical regarding COVID-19 needs to improve
- A lack of oversight regarding inmate healthcare requests (ICRs) has resulted in concerns with face-to-face patient assessments, delays in internal prioritization timelines, and ICRs not being entered into the electronic medical records (EMR) system.
- Emergency medical technicians (EMTs) do not always complete their shift requirements
- Medications are not being distributed according to statute and standards
- Medical staff failing to protect personal health information
- Medical staff failing to secure biohazard waste bins
- Multiple Administrative Rule violations regarding individual incentive award programs
- A lack of transparency regarding funding allocations and the use of program funds
- Program performance metrics do not reflect actual program operations
- Policies, procedures, and training materials are outdated
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Near the end of the meeting Rep. Mike Schultz read an email that indicated an inmate who is a double amputee did not have a wheelchair or a shower chair.

He said to Nielson and Richey, "Mister Herbert Smith is a double amputee, no wheelchair or shower chair for a double amputee below the knees requiring him to crawl around on his stumps including in the shower putting him at risk for infection or injury."

ACLU of Utah Respond to Legislative Audit

[ACLU of Utah Statement Re: Utah Prison System Healthcare Audit](#) by [MacKenzie Ryan](#) on Scribd

He said the response to that was that there were "supply chain issues," but indicated a wheelchair could be ordered online and received in three days.

Director Nielson appeared blindsided by this saying that he did not know this inmate and was not aware of the issue. He assured Schultz that he would look into it.

The audit found that "prison medical professionals are generally dedicated employees working to provide quality care," it tempered that by indicating that "systemic deficiencies, at times, threaten the level of care provided."

UDC said all the recommendations presented by the auditors are scheduled to be addressed by March of 2022. UDC says it will also conduct their own internal review which is expected to take a year to conduct.

UDC Communications Director Kaitlin Felsted issued this statement:

[12.07.21 UDC Responds to Audit of Healthcare in UT State Prisons](#) by [Victoria](#) on Scribd

This story was updated on Dec. 13 with a document of ACLU of Utah's response to the Legislative Audit.