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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

RALPH COLEMAN, et al.,

Plaintiffs,

v.

GAVIN NEWSOM, et al.,

Defendants.

Case No. 2:90-cv-00520 KJM-DB (PC)

**DEFENDANTS' CENSUS, WAITLISTS,
AND TRANSFER TIMELINES
COMPLIANCE REPORTS FOR
INPATIENT MENTAL HEALTH CARE**

Defendants California Department of Corrections and Rehabilitation (CDCR) and Department of State Hospitals (DSH) file the attached reports capturing data concerning patient census, waitlists, and compliance with transfer timelines for inpatient mental health care in compliance with the Court's October 13, 2015 order. (ECF No. 5367.) Attached is a letter from CDCR and DSH enclosing the following census and inpatient reports, as modified by the Court's April 19, 2017 order (ECF No. 5610): (1) DSH CDCR Patient Census and Waitlist Report

(Exhibit A); (2) CDCR Psychiatric Inpatient Programs (PIP) *Coleman* Patient Census and Waitlist Report as of March 30, 2020; (3) CDCR Mental Health Crisis Bed *Coleman* Patient Census and Waitlist Report as of March 30, 2020 (Exhibit C); (4) Psychiatric Inpatient Programs Census Report as of 3/30/20 (Exhibit D); (5) CDCR Inpatient Program Referrals: Compliance with Program Guide Timeframes for Acute and Intermediate Referrals Admitted or Closed in March 2020 (Exhibit E); and (6) DSH Psychiatric Inpatient Timelines Compliance Report, Patients Admitted March 1 through March 31, 2020 Who Waited Beyond Program Guide Timelines (Exhibit F).

The compliance reports at Exhibits E and F show that no patients admitted to inpatient programs in March 2020 transferred beyond Program Guide timelines without an exception. One patient transferred to an acute program two days beyond Program Guide transfer timelines, subject to a medical exception.

Dated: April 15, 2020

XAVIER BECERRA
Attorney General of California
ADRIANO HRVATIN
Supervising Deputy Attorney General

/s/ ELISE OWENS THORN
Elise Owens Thorn
Deputy Attorney General
Attorneys for Defendants

DIVISION OF HEALTH CARE SERVICES

STATEWIDE MENTAL HEALTH PROGRAM
P.O. Box 588500
Elk Grove, CA 95758



April 15, 2020

Adriano Hrvatin, Esq.
Elise Owens Thorn, Esq.
California Department of Justice
455 Golden Gate Avenue, Suite 11000
San Francisco, CA 94102-5500

RE: DEFENDANTS' CENSUS, WAITLISTS AND TRANSFER TIMELINES
COMPLIANCE REPORTS FOR INPATIENT MENTAL HEALTH CARE

Dear Mr. Hrvatin and Ms. Thorn:

The California Department of Corrections and Rehabilitation (CDCR) and the California Department of State Hospitals (DSH) submit their monthly information on patient census, referrals, waitlists, and transfer timeline compliance for inpatient mental health care. CDCR and DSH also provide information concerning the impact of the current public health crisis on the transfer of patients between their respective mental health programs.

Inpatient Reporting for February 2020.

The DSH CDCR Patient Census and Waitlist Report, attached as Exhibit A, and the DSH Psychiatric Inpatient Timelines Compliance Report, Patients Admitted March 1 through March 31, 2020 Who Waited Beyond Program Guide Timelines, attached as Exhibit F, are based on data from the DSH Bed Utilization Management Report.

The CDCR Psychiatric Inpatient Programs (PIP) Coleman Patient Census and Waitlist Report as of March 30, 2020 (Exhibit B), the CDCR Mental Health Crisis Bed Coleman Patient Census and Waitlist Report as of March 30, 2020 (Exhibit C), the Psychiatric Inpatient Programs Census Report as of 3/30/2020 (Exhibit D), and the CDCR Inpatient Program Referrals: Compliance with Program Guide Timeframes for Acute and Intermediate Referrals Admitted or Closed in March 2020 (Exhibit E), are generated using data from CDCR's tracking software, the Referrals to Inpatient Programs Application.

The reports attached as Exhibits A through D reflect data collected at a single point in time and, as a result, should not be used for purposes outside of those reports. The reports attached as Exhibits E and F are compliance reports from CDCR and DSH, both of which include requested compliance data for all referrals admitted to inpatient care in March 2020, for any inmate-patient who waited beyond the timelines specified in the Mental Health Services Delivery System Program Guide (2009 Revision) at 12-1-16.

COVID-19's Impact on Patient Transfers to and from Inpatient Programs.

On March 17, 2020, DSH suspended the admission of *Coleman* patients placed at DSH facilities pursuant to Penal Code section 2684. The suspension expires today and DSH will

replace the suspension with protocols to safely resume the transfer of individuals referred to DSH from CDCR pursuant to Penal Code section 2684.

Sincerely,

/s/ Eureka Daye
EUREKA DAYE
Deputy Director (A)
Statewide Mental Health Program

/s/ Stephanie Clendenin
STEPHANIE CLENDENIN
Director
Department of State Hospitals

Exhibit A

DIVISION OF HOSPITAL STRATEGIC PLANNING AND IMPLEMENTATION

Patient Management Unit

1600 Ninth Street, Room 420

Sacramento, CA 95814

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DSH CDCR Patient Census and Waitlist Report

Data as of: 3/30/20

Acute Care Patients

DSH Facility - Acute - Female	Bed Capacity	Census	Beds on Hold ¹	Beds Redlined ²	Medical Isolation Rooms ³	Available Beds	Waitlist			Total Patients Awaiting Admission
Patton ⁶	-	0	0	0	0	0	Referrals Pending Review	Accepted Referrals		0
								CDCR Prison ⁴	CDCR PIP ⁵	
Total	-	0	0	0	0	0	0	0	0	(Includes 0 Waiting >10 Days)

Intermediate Care Low Custody - Unlocked Dorms

DSH Facility - Unlocked Dorms	Bed Capacity	Census	Beds on Hold ¹	Beds Redlined ²	Medical Isolation Rooms ³	Available Beds	Waitlist			Total Patients Awaiting Admission
							Referrals Pending Review	Accepted Referrals		
									CDCR Prison ⁴	CDCR PIP ⁵
Atascadero	256	236	0	0	0	20				
Coalinga	50	48	0	0	0	2				
Total	306	284	0	0	0	22	0	0	0	(Includes 0 Waiting >30 Days)

Intermediate Care Low Custody - Unlocked Dorms - Female

DSH Facility - Unlocked Dorms - Female	Bed Capacity	Census	Beds on Hold ¹	Beds Redlined ²	Medical Isolation Rooms ³	Available Beds	Waitlist			Total Patients Awaiting Admission
							Referrals Pending Review	Accepted Referrals		0
								CDCR Prison ⁴	CDCR PIP ⁵	
Patton ⁶	30	16	0	0	0	14				
Total	30	16	0	0	0	14	0	0	0	(Includes 0 Waiting >30 Days)

¹Beds on hold are assigned for internal patient movement and patients waiting to transfer to DSH. When allocated *Coleman* beds are at maximum capacity within the facility, beds with patients pending discharge may be placed on hold for accepted patients to maximize bed utilization. This may result in negative totals for available beds, but does not necessarily imply exceeding capacity.

²Redlined beds are temporarily unavailable due to repairs.

³Medical isolation rooms are required for licensing and physically differ from the other housing in the program, i.e., have showers or restricted sightlines into the cell, and are deemed inappropriate for everyday use.

⁴Direct referrals from a CDCR prison for patients awaiting transfer to DSH for inpatient treatment.

⁵Referrals for patients currently receiving inpatient treatment within a CDCR PIP referred to DSH for stepdown of LRH or Level of Care change.

⁶Beds at DSH-P are for female patients only.

Exhibit B

MALE ACUTE PIPs	Bed Capacity	Census	Beds Reserved ¹	Beds Redlined ²	Medical Isolation Rooms ³	Available Beds	Pending Referrals ⁴	Accepted Referrals ⁵	Total Waitlist	Total Acute Referrals Waiting > 10 Days	
California Health Care Facility (CHCF)	224	213	5	0	7	-1					
California Medical Facility (CMF)	218	195	3	0	0	20					
Total	442	408	8	0	7	19	52	5	57	3	

MALE INTERMEDIATE LOCKED DORM PIP	Bed Capacity	Census	Beds Reserved	Beds Redlined	Medical Isolation Rooms	Available Beds	Pending Referrals	Accepted Referrals	Total Waitlist		Total Intermediate Referrals Waiting > 30 Days
CMF	84	75	4	0	0	5					
Total	84	75	4	0	0	5					

MALE INTERMEDIATE HIGH CUSTODY PIPs	Bed Capacity	Census	Beds Reserved	Beds Redlined	Medical Isolation Rooms	Available Beds	Pending Referrals	Accepted Referrals	Total Waitlist		Total Intermediate Referrals Waiting > 30 Days
CHCF Single Cell	310	302	5	0	11	-8					
CMF Multi Cell	70	60	7	0	0	3					
CMF Single Cell	94	87	3	0	0	4					
SVSP Multi Cell	44	39	4	0	0	1					
SVSP Single Cell	202	198	7	0	0	-3					
Total	720	686	26	0	11	-3	91	10	101		5

MALE HIGH CUSTODY PIP	Bed Capacity	Census	Beds Reserved	Beds Redlined	Medical Isolation Rooms	Available Beds	Pending Referrals	Accepted Referrals	Total Waitlist	Total Acute Referrals Waiting > 10 Days	Total Intermediate Referrals Waiting > 30 Days
CSP, San Quentin (Condemned)	30	26	0	0	0	4					
CSP, San Quentin (Non-Condemned)	10	2	0	0	0	8					
Total	40	28	0	0	0	12	0	0	0	0	0

FEMALE HIGH CUSTODY PIP	Bed Capacity	Census	Beds Reserved	Beds Redlined	Medical Isolation Rooms	Available Beds	Pending Referrals	Accepted Referrals	Total Waitlist	Total Acute Referrals Waiting > 10 Days	Total Intermediate Referrals Waiting > 30 Days
California Institution for Women	43	38	1	0	0	4					
Total	43	38	1	0	0	4					

	Bed Capacity	Census	Beds Reserved	Beds Redlined	Medical Isolation Rooms	Available Beds	Pending Referrals	Accepted Referrals	Total Waitlist	Total Acute Referrals Waiting > 10 Days	Total Intermediate Referrals Waiting > 30 Days
GRAND TOTALS - ALL PIPs	1329	1235	39	0	18	37	161	16	177	3	5

¹ Beds Reserved - Beds held or endorsed to by the Health Care Placement Oversight Program (HCPop) for a specific patient. The referral is either pending clinical acceptance by the PIP or the patient is pending transfer to the PIP.

² Beds Redlined - Beds are temporarily unavailable for patient placement due to repairs or single cell status (if a two-man cell).

³ Medical Isolation Rooms - Rooms are required for licensing and physically differ from the other housing cells in the program, i.e., have showers or restricted sightlines into the cell, and are deemed inappropriate for everyday use.

⁴ Pending Referrals - Includes all referrals received by the Mental Health Inpatient Referrals Unit (new inpatient referral, level of care transfers, least restrictive housing transfers) that are pending a clinical referral review, least restrictive housing determination, HCPop endorsement/bed vacancy, or inpatient program acceptance.

⁵ Accepted Referrals - Includes all referrals that have been endorsed to a bed, have been accepted by the inpatient program, and are awaiting transfer.

* There are three APP referrals waiting greater than 10 days; two are pending a medical hold exception due to COVID-19 and the other is due to a pending medical hold exception.

**There are five ICF referrals waiting greater than 30 days pending a medical hold exception due to COVID-19.

Exhibit C

**CDCR Mental Health Crisis Bed
Coleman Patient Census and Waitlist Report as of
March 30, 2020**

CDCR MHCB Programs	Bed Capacity	Census	Beds Redlined	Available Beds	Total Pending Referrals	Beds Assigned	Total Pending Referrals > 24 hours
Male Programs	407	281	32	94	10	10	0
Female Programs	41	17	10	14	1	1	0
Totals	448	298	42	108	11	11	0

Exhibit D

PSYCHIATRIC INPATIENT PROGRAMS CENSUS REPORT AS OF 03/30/2020

Facility	Bed Capacity	Beds Occupied	
Male Acute Care Programs			
PIP-Vacaville	218	No Score:	3
		Level I:	13
		Level II:	44
		Level III:	31
		Level IV	104
		Total Census:	195
PIP-Stockton	224	No Score:	8
		Level I:	15
		Level II:	55
		Level III:	23
		Level IV	112
		Total Census:	213
DSH-Atascadero	0	No Score:	0
		Level I:	0
		Level II:	0
		Level III:	0
		Level IV	0
		Total Census:	0
Totals for Male Acute	442		408
Male Intermediate Care Facility (High Custody) Programs			
PIP-Stockton	310	No Score:	3
		Level I:	10
		Level II:	52
		Level III:	26
		Level IV	211
		Total Census:	302
		Total out of LRH:	171
PIP-Vacaville	94	No Score:	2
		Level I:	5
		Level II:	22
		Level III:	13
		Level IV	45
		Total Census:	87
		Total out of LRH:	52
PIP-Vacaville Multi-person Cells	70	No Score:	1
		Level I:	0
		Level II:	14
		Level III:	10
		Level IV	35
		Total Census:	60
		Total out of LRH:	26

PSYCHIATRIC INPATIENT PROGRAMS CENSUS REPORT AS OF 03/30/2020

PIP-Salinas Valley	202	No Score:	1
		Level I:	5
		Level II:	26
		Level III:	25
		Level IV	127
		PC 1370:	12
		WIC 7301:	2
		Total Census:	198
		<i>Total out of LRH:</i>	<i>81</i>
PIP-Salinas Valley Multi-person Cells	44	No Score:	0
		Level I:	1
		Level II:	8
		Level III:	5
		Level IV	25
		PC 1370:	0
		WIC 7301:	0
		Total Census:	39
		<i>Total out of LRH:</i>	<i>15</i>
Totals for Male ICF High Custody	720		686
Male Intermediate Care Facility (Low Custody) Programs			
PIP-Vacaville Dorms	84	No Score:	0
		Level I:	5
		Level II:	22
		Level III:	15
		Level IV	33
		Total Census:	75
		<i>Total out of LRH:</i>	<i>23</i>
DSH-Atascadero	256	No Score:	0
		Level I:	29
		Level II:	131
		Level III:	29
		Level IV	47
		Total Census:	236
DSH-Coalinga	50	No Score:	0
		Level I:	2
		Level II:	24
		Level III:	9
		Level IV	13
		Total Census:	48
Totals for Male ICF Low Custody	390		359

PSYCHIATRIC INPATIENT PROGRAMS CENSUS REPORT AS OF 03/30/2020

Male Condemned Program			
PIP-San Quentin	30	Total Census:	26
PIP-San Quentin Non-Condemned	10	No Score:	0
		Level I:	0
		Level II:	0
		Level III:	1
		Level IV	1
		Total Census:	2
Totals for Male ICF/Acute	40		28
Female Programs			
DSH-Patton	30	No Score:	0
		Level I:	5
		Level II:	8
		Level III:	1
		Level IV	1
		Total Census:	15
PIP-California Institution for Women	43	No Score:	5
		Level I:	5
		Level II:	10
		Level III:	2
		Level IV	15
		WIC 7301:	1
		Total Census:	38
		Total out of LRH:	6
Totals for Female ICF/Acute	73		53
Total Inpatient Program Capacity and Census - Male and Female			
GRAND TOTALS	1665		1534

- ❖ **Beds Occupied:** For each program, identify the total number of patients in the program and the total at each custody level, i.e., Level I-IV. Level I has placement score of 0 through 18; Level II 19 through 35; Level III 36 through 59; and Level IV 60 and above. Patients with "no score" have not completed Reception Center processing. PC 1370 inmates are considered incompetent to stand trial and do not have a concurrent ICF referral. WIC 7301 also do not have a concurrent ICF referral and are too dangerous for a State Hospital facility -- enhanced custody/security needs of a patient can best be met in a CDCR Institution.
- ❖ **Male Acute Care Programs:** Acute beds at PIP-Vacaville and PIP-Stockton are single cell. Thus, custody level and least restrictive housing categories do not apply.
- ❖ **DSH-Atascadero:** The full complement of beds at DSH-Atascadero are reflected under the Intermediate Low-Custody bed capacity. The Acute census includes patients admitted for Acute care at DSH-Atascadero after an individualized review of the patient's clinical need, bed availability, patient's least restrictive housing designation, and patient's likelihood of stepping down to Intermediate care at DSH-Atascadero or DSH-Coalinga upon the determination by the treatment team of clinical appropriateness for discharge from Acute care.
- ❖ **Total Out of LRH (Least Restrictive Housing):** Least Restrictive Housing (LRH) is determined by CDCR. The numbers of patients identified as out of LRH for High Custody Programs include those whose LRH is for Multi-person Cells.

Exhibit E

CDCR INPATIENT PROGRAM REFERRALS: COMPLIANCE WITH PROGRAM GUIDE TIMEFRAMES FOR ACUTE AND INTERMEDIATE REFERRALS ADMITTED OR CLOSED IN MARCH 2020							
CDCR IDTT Referral Type	Total Referrals	Patients Admitted Within Program Guide Timeframes ^[1]	Patients Admitted Outside Program Guide Timeframes	Referrals Resulting in Rescind, Rejection, or Parole/Discharge	Exceptions to Program Guide Timeframes ^[2]	Number of Referrals Out of Compliance	Total Days Out of Compliance
Intermediate (ICF)	181	162	0	19	0	0	0
Acute (APP)	170	158	1	11	1	0	0
TOTALS	351	320	1	30	1	0	0

[1] Program Guide timeframes: Transfer within 30 days of referral for ICF, or within 10 days of referral for APP. Timeline begins when the completed referral is received by the Mental Health Inpatient Referrals Unit (MH IRU); or if accepted at a Department of State Hospitals (DSH) program, upon DSH acceptance.

[2] Exceptions to the Program Guide timeframes in this report include: medical concerns and those referred that are on out-to-court status, out-to-hospital status, and/or on medical or Vitek holds.

Referral Type	Referring Institution	CDCR Number	Last Name	Referring Level of Care	IDTT Referral Date	Date Referral Received Complete by MH IRU (Timeframes Start)	Date Referral Sent to HCPOP	HCPOP LRH Determination	HCPOP LRH Determination Date	HCPOP Endorsement Rx	HCPOP Endorsement Rx Date
APP	WSP			MHCB	2/26/2020	2/26/2020	2/26/2020	Acute / preliminary Unlocked Dorms	02/26/2020	APP: CHCF	02/26/2020 19:48:00

TOTAL DAYS OUT OF COMPLIANCE	0
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Exhibit F

Patient Management Unit
1600 Ninth Street, Room 420
Sacramento, CA 95814



DSH Psychiatric Inpatient Timelines Compliance Report

Patients Admitted March 1 through March 31, 2020 Who Waited Beyond Program Guide Timelines

Level of Care	Patients Waiting Outside Program Guide Timelines ³	Days Waited Outside Program Guide Timelines ⁴
Intermediate Care Admissions	0	0
Subtotal	0	0
Exceptions to Program Guide Timelines - OTC, OTH, and Medical Holds ¹	0	0
Exceptions to Program Guide Timelines - Internal Referrals ²	0	0
Total Excluding Exceptions to Program Guide Timelines	0	0

¹Includes exceptions to the Program Guide timelines for referrals on hold for patients with out-to-court status, out-to-hospital status, and medical holds.

²Includes exceptions to the Program Guide timelines for CDCR patients currently receiving inpatient treatment within a DSH program and have been referred for internal movement within DSH (e.g., transfer to LRH, level of care transfers).

³Includes patients admitted in March 2020 who waited greater than 30 days from the DSH referral received date.

⁴Includes the total number of days patients admitted in March 2020 waited beyond 30 days from the DSH referral received date.

**DSH Psychiatric Inpatient Timelines Compliance Report**

Patients Admitted March 1 through March 31, 2020 Who Waited Beyond Program Guide Timelines

Patients Admitted to Intermediate Care

Name	CDCR #	CDCR Direct/ DSH Internal	Total Days on Waitlist	Number of Days Waited Beyond Program Guide Timelines	Total Days on Hold	Exclusion Days	Total Days Waited Excluding Exceptions	Exception Reason(s)
-	-	-	-	-	-	-	-	-
Total Number of Patients Waiting Over 30 Days	0	Total Number of Days All Patients	0	0	0	0	0	-