

Sterilization of Female Inmates

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September 18, 2014

Introduction

- Genesis of Audit
- Background
- Audit Results & Key Findings
- Key Recommendations
- Impact
- Next Steps

Genesis

- Media Reports: Doctors Under Contract with The California Department of Corrections and Rehabilitation (Corrections) Had Performed Procedures Without Approvals
- Women's Caucus Concerned that Inmates Are Coerced to Undergo Procedure
- Audit Requested by Women's Caucus

Background

- Multiple Entities Involved in Providing Medical Care to Inmates
 - Corrections
 - Receiver's Office (California Correctional Health Care Services)
 - Three Facilities House Female Inmates
- Multi-level Process for Approving Medical Procedures for Inmates

Audit Scope/Objectives

- Assess Policies, Procedures, Protocols
- Review Each Tubal Ligation Performed Over Eight-Year Period
- Provide Demographics—In Particular Number of Prior Pregnancies and Child Births

Audit Results—Key Findings

- 144 Tubal Ligations
- 39 Cases Performed Without Lawful Consent
 - 27 Cases: Physician Did Not Assert Patient Mentally Competent, Understood Effects, Waiting Period Met
 - 18 Cases: Violations In Waiting Period

Audit Results—Key Findings cont.

- Neither Agency Ensured Informed Consent Was Obtained From Inmate
- None of The Files Contained Progress Notes Showing That Prison Staff Counseled Inmates
- Prison Medical Staff Did Not Obtain Necessary Approvals For Medical Procedure

Demographics

- 123 Cases: Between Age of 26 and 40
- 72 Cases: Literacy Less Than High School Proficiency
- 101 Cases: Inmate's First Incarceration
- 115 Cases: Has Three or More Children

Key Recommendations

- Refer the 39 Cases to The Medical Board and CA Dept. of Public Health
- Better Monitor Medical Staff & Contractors
- Improve Quality of Information Provided to Inmates and Document in Progress Notes
- Ensure Inmates Receive Only Properly Authorized Medical Services

Impact

- Briefed Members and Legislative Staff
- Proposed Legislation By Requestor
- Media—World News!

Next Steps

- Follow-up: 60 days, Six Months, One Year
- Information Provided on Web site
- Recommendations Not Implemented After One Year
- Possible Follow-up Review



Questions and Answers

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