

New Broward jail healthcare provider has grim history of lawsuits, deaths

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Broward's Main Jail in downtown Fort Lauderdale

Poor medical care and at least 15 needless deaths at the Broward County Jail since 2010 appear to have caught up with controversial Miami-based Armor Correctional Health Services, which has lost its bid for another multi-million, multi-year contract to provide medical services to county inmates.

But Sheriff Scott Israel's decision this month to bypass low-bidder Armor and deem similarly priced Correct Care Solutions LLC to be the successful bidder may also prove problematic. Correct Care has its own troubling history.

Armor held the contract through three sheriffs – beginning with Ken Jenne in 2004 – doling out thousands of dollars in campaign contributions and collecting hundreds of millions of taxpayer dollars along the way. The anticipated new contract with Correct Care, which gave \$1,000 to Israel’s 2016 reelection campaign, will be for three years, but can be extended for two more years without rebidding.

To win the contract, records show, Tennessee-based Correct Care retained a pair of lobbyists from the government relations arm of Fort Lauderdale’s Tripp Scott law firm: former Democratic State Sen. Chris Smith and Candice Ericks. Correct Care also fields more than a dozen executive branch lobbyists in Tallahassee, including BSO lobbyist William “Billy” Rubin and Ron Book, whose clients include Broward County and nine Broward cities.

The Broward Sheriff’s Office and Correct Care, which operates in 38 states and Australia, are continuing to negotiate the contract’s terms. And until Israel signs, the deal remains under a cone of silence and BSO won’t discuss it, including whether Correct Care will retain Armor staff.

Armor’s contract expires on June 30. Assuming the current negotiations are successful, Correct Care also will be paid a flat fee to provide comprehensive healthcare services. Profit will be made by taking in more money than it pays to care for Broward’s inmate population, which in 2017 averaged about 4,000 a day.

“All about the oversight”

“It’s all about oversight with these private companies,” said Fort Lauderdale attorney Greg Lauer, who has represented numerous inmates and family members in claims against Armor Correctional. “At their core, every for-profit correctional healthcare company is the same, and they are trying to do what for-profit companies do, and that is to make money. If the Sheriff does not devote appropriate resources to meaningful oversight, then Correct Care Solutions will do what it was designed to do, and that is to turn a profit at the expense of the inmates and taxpayers.”

Lauer said Sheriff Israel “failed to supervise” Armor “and as a result Armor made a profit, but many people died horrible deaths.”

Records released under Florida’s public records law indicate that over five years the contract would be worth in excess of \$160 million. The initial annual cost will vary between \$30.2 million and \$35.5 million, depending on how much liability Correct Care is willing to assume for inmates that need hospitalization. The cost of future years will be determined later.

As of Friday, BSO had not made public a requested copy of Correct Care’s bid proposal.



Meanwhile, Correct Care has faced multiple accusations of needless death and poor care in other states similar in nature to those that plagued Armor. And in Norfolk, VA, Correct Care is also a focus of a federal grand jury investigation that's examining the company's relationship to the Norfolk Sheriff's Office and former Sheriff Robert J. McCabe.

A subpoena issued last year commanded the Norfolk Sheriff's Office to turn over to the FBI more than a dozen kinds of records dating to 2004 about its dealings with Correct Care, including contracts, bid proposals, records of contract negotiations, memoranda and correspondence. Also sought were records of payments and gifts by Correct Care to McCabe, his campaign and sheriff's employees, including air travel, hotels, condominiums, tickets to sporting events, fishing charters, golf equipment and auto racing schools.

In New York last year, Correct Care was the successful bidder to replace Armor at the Nassau County Jail after Armor got the boot for "placing inmates' health in jeopardy." But within days of winning the bid, the Nassau County Sheriff halted contract negotiations after a New York Civil Liberties Union official came out against Correct Care and county Democratic Party leaders announced that their analysis of Correct Care's litigation record had left them "extremely concerned," *Newsday* reported. That record included Correct Care as a defendant in more than two dozen federal lawsuits in 15 states connected to inmate deaths, and 145 federal lawsuits involving allegations of negligent inmate health care, the newspaper reported.

"Profit over people"

"Don't hire Correct Care Solutions," said NYCLU local chief Susan Gottehrer. "They have a history similar to Armor's and they put profit over people."

"It seems like setting ourselves up to hire a company that could be as bad or worse than Armor," said Nassau County Legislator Kevan Abrahams.

Correct Care Solutions Group Holdings (CCS) was founded in 2003 by Jerry Boyle, who now serves as executive chairman of the board. "The company is privately-owned by affiliates of Audax Private Equity, Frazier Healthcare (Partners, private equity), affiliates of GTCR (Private Equity) and management, and generates annualized revenues of approximately \$1 billion," according to a December 2016 report by Moody's Investors Service.

Before founding Correct Care, Boyle was chief executive officer of Prison Health Services (PHS), a company with disturbing tenures in Broward between 1979 and the early 2000s. In 1993, Broward cut ties with PHS because it was unhappy with its quality of care and hired EMSA Correctional Care instead. EMSA, whose top officers included Marta Prado, wife of then-Florida Attorney General Bob Butterworth, faced questions about that relationship as well as criticism about inmate deaths and lawsuits before it was bought by PHS in 1999.



BSO finally rid itself of PHS in 2001 and today, following PHS's 2011 merger with Correctional Medical Services, the company is now known as Corizon. Corizon, like Armor, was an unsuccessful bidder for this month's Broward Jail contract.

Today, Marta Prado and Jerry Boyle are reunited. Prado is president of Correct Care Recovery Solutions (CCRS), a division of Correct Care Solutions.

CCRS contracts with the Florida Department of Children & Families to operate four behavioral health facilities around the state. They are South Florida State Hospital in Pembroke Pines, which treats involuntarily committed mentally ill adults; Arcadia's Florida Civil Commitment Center for sex offenders; the South Florida Evaluation and Treatment Center in Florida City, and the Treasure Coast Forensic Treatment Center in Indiantown, which provide psychiatric health services to criminal defendants found incompetent to stand trial or not guilty by reason of insanity.

In Broward, Sheriff Israel remains under the terms of a federal consent decree imposed by a judge in 1994 to address overcrowding, mental health treatment and other matters. In March 2017, the decree was largely terminated, except for how BSO was addressing inmate mental health problems. For more than a year, however, the court has awaited an expert's report and remedial plan that is acceptable to all parties and would allow the court to end the consent decree. The latest joint motion in the case filed Thursday asks U.S. District Judge Donald M. Middlebrooks for more time to continue negotiations.

After a contract is signed, Correct Care faces the formidable task of assuming from Armor seamless control of the jail's healthcare operations. Approximately 37,000 inmates are booked into BSO's four detention facilities every year, BSO has said.