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January 15, 2024

MEMORANDUM

To: James Dzurenda, Director
Nevada Department of Corrections

Through: Ihsan Azzam, PhD, MD
Chief Medical Officer, DPBH

From: Vincent Valiente, REHS
For Paul Shubert, Chief, DPBH

Subject: Nevada State Board of Prison Commissioners (NSBOPC) meeting

As required by the Nevada Revised Statutes (NRS) 209.382, NRS 444.330 and NRS 446.885, the Division of Public and Behavioral Health (DPBH) conducts regular inspections of State Correctional Facilities. These inspections include:

- a) **Medical and Dental Services** based upon *Standards for Medical Facilities* as provided in Chapter 449 of NRS.
- b) **Nutritional Adequacy of Diet*** based on *National Dietary Guidelines*. Inspections of diet adequacy take in consideration religious and/or medical dietary recommendations for individual offenders, and adjustments of dietary allowances for age, sex, and level of activity.
- c) **Sanitation, Healthfulness, Cleanliness and Safety** of various institutions and correctional facilities which include a focus on food safety practices.

*Pursuant to NRS 209.382, NRS 444.330, and NRS 446.885, during each inspection of a state correctional facility, DPBH inspector/s verify that dietitian's recommendations are appropriately followed. Nutritional adequacy of inmates' diet is verified by onsite direct observations, document review and interviews with staff and offenders from that facility.

DIETARY/SANITATION INSPECTIONS (Table 1) “Critical Violations Identified During Annual Dietary Inspections of State Prisons.”

A total of twelve critical violations were identified during the Dietary and Sanitation 2023 Inspections. Compared to 2022, the total number of critical violations cited in 2023 decreased by five within open State Prisons. Of the six inspected facilities, two had no critical violations; two had one critical violation; one had four critical violations; and one was cited for six critical violations. Additionally, there were five repeat violations out of the twelve critical violations identified in 2023. A decrease in repeat violations were observed in the 2023 inspections. Table 1 also summarizes previous critical violations from 2016 through 2023.

Three of the six inspected facilities in 2023 had repeat critical violations as follows:

- **Equipment not sanitized** (Southern Desert Correctional Center)
- **Presence of insects/rodents** (Northern Nevada Correctional Center)
- **Improper food temperatures** (High Desert State Prison)
- **Poor hygienic practices** (Southern Desert Correctional Center)

Further breakdown of Dietary/Sanitation critical violations identified in 2023 is summarized on pages three and four of this report and in Table 1.

Note: The letter "X" in Table 1 signifies a critical violation identified during Dietary/Sanitation inspections.

MEDICAL INSPECTIONS (Table 2) “Deficiencies Identified During Medical Surveys.”

Two State Prisons are medically inspected each year. Table 2 summarizes deficiencies identified since the start of medical inspections. One deficient practice was identified at one of the two medically surveyed facilities inspected in 2023. This deficient practice was cited at Ely State Prison.

Further breakdown of the medical deficiency identified in 2023 is summarized on page six of this report and in Table 2.

Note: The letter "X" in Table 2 signifies a deficiency identified during medical surveys.

NUTRITIONAL ADEQUACY INSPECTIONS

No nutritional adequacy violations were identified in 2023 **at the six inspected State Prisons.**

Further details of the nutritional adequacy inspections are summarized on page five of this report.

DIETARY/SANITATION 2023 INSPECTIONS SUMMARY

The following critical violations were identified within six State Prisons. The critical violation data can also be found in Table 1 of this report:

ELY STATE PRISON

No critical violations were identified at the time of inspection.

LOVELOCK CORRECTIONAL

No critical violations were identified at the time of inspection.

HIGH DESERT STATE PRISON**

1. Equipment not properly sanitized/Potential for cross-contamination
(A culinary three compartment sinks had no detectable sanitizer at the time of inspection).
2. Equipment was not properly sanitized
(The high temperature dishwashing machines were in disrepair “malfunctioning “at the time of inspection and were not properly sanitizing within the correct temperature range).
3. Culinary offender staff were not following good hygienic practices
(Culinary offender staff were observed handling ready-to-eat food with bare hands).
4. Refrigeration units were at improper temperature
(Two common fare refrigeration units were not holding a temperature of 41 degrees F° or below at the time of inspection).

FLORENCE MCCLURE WOMEN’S CORRECTIONAL CENTER**

1. Equipment was not properly sanitized
(The final rinse spray was not activating at the time of inspection).

SOUTHERN DESERT CORRECTIONAL CENTER**

1. Substantial health hazards were observed through-out the Culinary Unit at the time of inspection.
“Substantial health hazard” includes any factor or condition which has the potential to increase the risk and/or cause injury to public health.
2. Handwashing sinks were not fully operational.
(Multiple handwashing sinks were not stocked with soap and paper towels).
3. Culinary offender staff were not following proper hygienic practices.
(Culinary staff were not washing their hands within food preparation areas, dishwashing areas, and between changing duties).
4. Equipment was not properly sanitized/potential for cross-contamination
(Culinary offender staff were observed not completing the necessary steps to properly wash, rinse, and sanitize soiled ware. This was observed at the common fare three-compartment sink and culinary dishwashing machine. In addition, culinary offender staff were observed improperly using handwashing sinks to rinse of culinary utensils).
5. Equipment was not properly sanitized
(Two high temperature conveyor dish machines were in disrepair “malfunctioning” at the time of inspection).

6. Presence of insects
(Live roaches were observed throughout the culinary operations).

As discussed with SDCC facility staff, the improper dishwashing and poor hygienic practices observed during the inspection pose significant risks for a facility wide foodborne illness outbreak. **It's important to note that the dishwashing and sanitizing issues are consecutive/repeated violations cited over several years of facility inspections.**

Furthermore, no preventative maintenance (PM) for culinary equipment was observed or could be verified by SDCC staff. Facility maintenance staff must follow a consistent PM schedule to prevent equipment malfunction due to daily use. **The PM must include an applicable (regular) weekly, monthly, quarterly, and/or annual servicing checklist of supportive facilities such as, but not limited to, culinary refrigeration, hot holding equipment, plumbing, dishwashing, HVAC, waste management, etc.**

NORTHERN NEVADA CORRECTIONAL CENTER**

1. Presence of rodents observed
(Rodent feces, urine, and damaged food products were observed within the Warehouse operation)
NOTE: No evidence of rodents was observed within the Culinary and Bakery at the time of inspection. NNCC has made efforts to eliminate the ongoing infestation. This was verified by observations, interviews with culinary staff, and by reviewing the culinary daily monitoring/tracking system. No signs of rodents were observed in areas designated for food preparation, storage, service, and receiving within the Culinary and Bakery. The facility was encouraged to continue their current effective measures to eliminate the rodent infestation.

*****The NDOC Compliance Enforcement Officer ensured corrective actions will be promptly taken by the facility for critical violations which could not be corrected by the end of each inspection.***

NUTRITIONAL ADEQUACY 2023 INSPECTIONS SUMMARY

For 2023, each State Prison has been inspected for nutritional adequacy to ensure each facility was following the applicable Dietician certified menus. Zero violations were identified regarding nutritional menu compliance during the 2023 inspections. In addition, menu changes to increase portion sizes and variety were confirmed by NDOC and noted during inspections conducted in October 2023.

The following additional observations, file reviews, and interviews regarding nutritional adequacy were identified during the medical survey at Ely State Prison and Lovelock Correctional:

- Medical file reviews revealed that offenders with special nutritional needs had completed and signed nutritional doctor orders.
- Medical file reviews also revealed that assessments of the offenders' nutritional needs were logged on the doctor's nutritional orders.
- Medical staff interviews revealed that when an offender complains that is not eating enough or will not eat the food provided, they are evaluated by a healthcare provider and Body Mass Index (BMI) with monitoring of body weight are used to determine a plan of care. Double portions and supplements are prescribed for those with low BMI or a documented weight loss.
- Medical staff interviews revealed offenders with complaints about food portions have their Body Mass Index (BMI) reviewed.
- Medical staff interviews revealed when an offender alleges, they are not receiving a snack or a meal, medical staff will confirm with culinary that the food is being delivered and then check video recording to verify food delivery.
- Offenders interviewed verbalized receiving meals from culinary.
- Offenders interviewed verified all meals are served daily in their housing units.

During the Nevada State Board of Prison Commissioners (NSBOPC) meeting on August 30, 2023, it was requested by the Attorney General to consider offender interviews regarding nutritional adequacy during inspections. The following information was obtained during interviews of offenders. The interviews were conducted during the remaining 2023 sanitation inspections at Northern Nevada Correctional Center, Ely State Prison, and Lovelock Correctional Center. Interviews were conducted at random in areas such as the medical units, offender housing units, and other facility grounds:

- Offenders interviewed verbalized receiving all meals from the culinary.
- Offenders interviewed verified all meals are served daily in housing units or at the culinary.
- Offenders interviewed verbalized concerns with smaller portions and bland food during interviews at Ely Stat Prison and Northern Nevada Correctional Center when asked about food quality and portion sizes. These concerns were noted prior to NDOC menu changes in October 2023.

MEDICAL/DENTAL 2023 INSPECTIONS SUMMARY (Table 2)

The following deficiencies were identified. The deficient practices can also be found in Table 1 of this report:

Ely State Prison

1. Life Safety Code/Physical Environment
(Unsecured oxygen cylinders)
(Electrical hazard/exposed electrical components)

Lovelock Correctional Center

No deficient practices were observed during inspection.

During the 2023 medical and dental inspection of Ely State Prison and Lovelock Correctional Center, interviews, observations, and file reviews, based upon *Standards for Medical Facilities* as provided in Chapter 449 of NRS, the following were observed as **In-Compliance** at the time of inspection, but not limited to:

- Infection control practices and hazardous waste disposal
- Sterilizer testing and maintenance
- Sterilizer staff training
- Medications stored, secured, and expiration dates followed
- Medication administration
- Physicians' orders followed
- Emergency supplies available
- Inmate TB testing
- Staff TB testing
- Staff CPR certifications
- Inmate dental care
- Laboratory staff training and certifications
- Laboratory testing quality controls and procedures
- Inmate consent to treatment documented
- Dental tool accountability
- Nursing coverage
- Staff health and safety
- Medical Records

Included Attachments

1. Table 1. DIETARY INSPECTIONS – Critical Violation Identified During 2023 Annual Dietary Inspections
2. Table 2. MEDICAL SURVEYS – Deficiencies Identified During the 2023 Medical Surveys

Should you have any questions regarding the Biannual NSBOPC Meeting Update, please do not hesitate to contact me at 775-684-1061.

DIETARY INSPECTIONS (TABLE 1)

YEAR	FLORENCE MCCLURE WOMEN'S					HIGH DESERT					SOUTHERN DESERT					ELY					NORTHERN NEVADA					LOVELOCK													
	16'	17'	18'	19'	20'	21'	22'	23'	16'	17'	18'	19'	20'	21'	22'	23'	16'	17'	18'	19'	20'	21'	22'	23'	16'	17'	18'	19'	20'	21'	22'	23'							
Presence of insects/rodents																																							
Handwash sinks not fully operational																																							
Dented cans of food																																							
Improper food temperatures																																							
Refrigeration at improper temperature																																							
Improperly labeled/stored chemicals																																							
Potential for cross-contamination																																							
Expired/spoiled food																																							
Equipment not sanitized																																							
Handwashing sinks not accessible																																							
Culinary staff hygienic practices cited																																							
Hot holding equipment at improper temperature																																							
Person-in-Charge not knowledgeable																																							
Sub Total of Critical Violations/Year:	0	2	1	2	0	0	0	1	3	2	1	1	0	2	2	4	5	4	2	4	2	5	7	6	2	2	1	3	2	7	4	0	2	3	2	2	2	4	3
Critical Violations Per Prison 16' - 23'	6					15					35					21					19					8													
Total Critical Violations	104																																						

MEDICAL SURVEYS (TABLE 2)

Deficiencies Identified During Medical Surveys

	Ely						Lovelock					
	05'	10'	13'	17'	20'	23'	02'	09'	12'	16'	19'	23'
Infection control/hazardous waste disposal	X			X	X						X	
Sterilizer testing/maintenance		X						X		X		
Sterilizer training	X	X		X				X	X		X	
Medication (expired/storage/secured)	X	X		X					X	XX	X	
Medication administration issues												
Physician orders									X			
Emergency supplies unavailable	X						X	X	X			
Medications unsecured												
Inmate TB testing									X			
Staff TB testing	X	X	X					X	X			
Staff CPR	X											
Inmate dental care												
Lab staff/lab licensure								X	X			
Lab test (quality control/procedures)	X				X					X		
Physical environment				X		X				X		
Inmate consent to treatment								X				
Dental tool accountability								X				
24 hour nursing coverage												
Staff health and safety					X					X		
Medical Records									X	XXX		
Violations Cited/Year:	7	4	1	4	3	1	1	7	8	9	3	0
TOTAL MEDICAL VIOLATIONS:	20						28					