

Farney, David

ORIGINAL: 2544

From: Oresic, John F. [jforesic@co.bucks.pa.us]
Sent: Wednesday, July 19, 2006 8:25 AM
To: dfarney@state.pa.us
Subject: FW: Title 37
Importance: High

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INDEPENDENT REGULATORY
REVIEW COMMISSION

From: Gubernick, Harris
Sent: Tuesday, June 27, 2006 3:23 PM
To: Oresic, John F.; Moore, Terrance P.; Waller, Guy E.; Hodder, Kathleen M.; Budd, Lil H.; Mitchell, Clifton S.; Sanko, David M.
Subject: Title 37
Importance: High

Very draft oriented comments. Take a look and add your own. I would like to get this to the Wardens Association by weeks end.

Comments on Title 37:

The ACA and NCCHC exclusion does not make sense in that the inspection cycles are somewhat similar. Why would this change?

The Life safety code and the interpretation of the county fire Marshall may be different. We are responsible to the county fire Marshall who inspects the facilities annually.

What would cause an immediate inspection? It is very open with little justification necessary.

Vulnerability analysis criteria is vague with one or more of the areas targeted.

Under "work" number 3, this leaves out the possibility of community service. This type of program is critical to the concept of community restitution. In these situations inmates would not be paid for services.

Under treatment, there are many terms including counseling. Case management, not counseling is actually described in the treatment planning process.

When using the term **treatment**, this may cause issues with DOH especially in the area of drug and alcohol treatment. It should be noted that DOH has no standards for jail based programs.

On page 26 number 10...psychotic or otherwise mentally disturbed... I would assume that the treatment off site as long as a 204 or 402 commitment is warranted. Other than those conditions, it would be difficult if not impossible to place all inmates who are mentally disturbed in a mental health facility. This population continues to grow and the jails have taken over the care of this group. The cost would be prohibitive as well.

Sexual misconduct is reviewed by our county detectives and the district attorney.

Harris Gubernick
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7/19/2006