



# MASSACHUSETTS DEPARTMENT OF CORRECTION INDEPENDENT COVID-19 UPDATE & MITIGATION COMPLIANCE REPORT

PREPARED EXCLUSIVELY FOR:  
*JOINT COMMITTEE ON THE JUDICIARY*  
AND  
*JOINT COMMITTEE ON PUBLIC HEALTH*

**SUBMITTED BY:**

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ON BEHALF OF THE OFFICE OF THE OMBUDSMAN

**DATED:** SEPTEMBER 15, 2021

**REPORT No.:** 01



# INDEX

INTRODUCTORY COMMUNICATION .....	1
PURPOSE - OFFICE OF THE OMBUDSMAN .....	2
<i>Overview</i> .....	2
<i>Responsibilities</i> .....	2
IMPLEMENTATION, OPERATIONS, AND STAFFING .....	3
<i>Phase 1 - Implementation</i> .....	3
<i>Phase 2 - Operations</i> .....	3
<i>Office Staffing and Advisors</i> .....	4
ENHANCEMENTS TO THE PRIMARY FUNCTIONS OF THE OFFICE.....	5
<i>Business Intelligence / Data Visualization</i> .....	5
<i>Supply Chain Management for PPE Access and Management</i> .....	5
ATTACHMENT A .....	6
<i>Staffing Matrix</i> .....	6
ATTACHMENT B.....	7
<i>Biography – Seth D. Peters, Director/Ombudsman, Office of the Ombudsman</i> .....	7



## INTRODUCTORY COMMUNICATION

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JOINT COMMITTEE ON THE JUDICIARY  
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24 Beacon St.  
Room 511-C  
Boston, MA 02133

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Senate Contact  
24 Beacon St.  
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JOINT COMMITTEE ON THE JUDICIARY  
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24 Beacon St.  
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JOINT COMMITTEE ON PUBLIC HEALTH  
House Contact  
24 Beacon St.  
Room 130  
Boston, MA 02133

Dear Honorable Members of the Joint Committee on the Judiciary and Joint Committee on Public Health:

On behalf of the Office of the Ombudsman (Office), UMass Chan Medical School (UMass Chan) respectfully submits the first in a series of reports independently monitoring the Massachusetts Department of Correction's (DOC) efforts to mitigate and control the *SARS-CoV-2* (COVID-19) pandemic in its correctional facilities. These sequential reports, submitted by the newly appointed Ombudsman, will offer insight into the evolving processes of the DOC as weighed against a set of Office-derived standards to combat COVID-19 infection/resurgence in correctional facilities in the Commonwealth of Massachusetts and to evaluate/measure compliance and progress therewith.

Subsequent reports will be issued on a regular (bi-weekly) cadence by the appointed Ombudsman/director of the Office (Ombudsman) and sequentially numbered. For example, this first report, delivered in September 2021, is identified as *Report No.: 01*, while the next bi-weekly report will be *Report No.: 02*.

We are pleased to announce the appointment of Seth D. Peters, MPH, to serve as the Ombudsman. To discharge the duty of "*appointing authority*," and to both **ensure clarity of the independent nature of the role of the Office of the Ombudsman** and **transparent reporting** to the honorable members of the joint committees of the Massachusetts Legislature addressed above and to the Executive Office of Public Safety and Security, I will administratively supervise Mr. Peters. Notwithstanding, the Office's work will be considered technically authoritative and generally accepted without change. The next, and all future reports, will be submitted by Mr. Peters, as Ombudsman of the Office, based on the Office's independent monitoring and assessment related to the DOC.

UMass Chan is pleased to provide this initial report (*Report No.: 01*) outlining the purpose and responsibilities of the Office, as well as the implementation, operations, and staffing plans related thereto. Further, at this time, we respectfully extend an offer to hold an introductory/implementation meeting with interested members of either joint committee, if desired. We thank you for your time and attention.

Respectfully,

  
Joyce Boden, RN, MSM

Deputy Managing Director, Clinical Delivery and Informatics Solutions  
Commonwealth Medicine, UMass Chan Medical School

## PURPOSE - OFFICE OF THE OMBUDSMAN

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### Overview

The **Office of the Ombudsman** (Office) shall independently monitor and report on the Massachusetts Department of Correction's (DOC) compliance with a set of Office-curated public health standards related to *SARS-CoV-2* (COVID-19) pandemic health precautions. The Office shall first establish an authoritative set of public health standards (Standards) using recommended best practices and guidance from public health experts and then utilize those Standards as benchmarks on which to evaluate the DOC's responsive actions (e.g., COVID-19 infection mitigation measures), and, where observed, inactions, together with the resultant impact on vulnerable populations under the DOC's purview, including departmental employees, inmates, and their families.

### Responsibilities

The Office has been established pursuant to Chapter 227 of the Acts of 2020. As the appointed independent ombudsman, the director of the Office will report directly to the Commonwealth's elected officials seated in both the *Joint Committee on the Judiciary* and the *Joint Committee on Public Health*. Although this Office intends to work collaboratively with the DOC, the Office's performance, oversight, and accountability shall remain independent from the DOC.

The Office shall be impartial and independent in structure, function, and appearance – ultimately tasked with the responsibility of protecting the health and safety of DOC employees, inmates, and their families in accordance with the responsibilities outlined in the Budget. The Office will work independently to investigate and monitor the DOC for compliance with public health standards and concerns with DOC practices as they relate to the management of COVID-19.

The Office will also serve as a confidential resource, assisting employees, inmates, and their families with services and related complaints and issues which deal with the DOC's treatment of COVID-19 in correctional settings. The Office shall serve as an advocate and may act as a mediator to attempt to resolve problems that may arise between a DOC facility and one (1) or more of its employees and/or inmates.

In particular, the Office shall:

- Apply person-centered practices when interacting with DOC employees, inmates, and their families, where needed;
- Investigate complaints and respond to inquiries;
- Monitor evolving public health standards and impacts on the Standards developed by the Office;
- Conduct audits and DOC site reviews; and
- Provide bi-weekly reports and, in addition, recommendations, if requested to *the Joint Committee on the Judiciary* and the *Joint Committee on Public Health* (Joint Committees).



## IMPLEMENTATION, OPERATIONS, AND STAFFING

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The establishment and operation of the Office consists of two (2) phases.

### ***Phase 1 - Implementation***

First, the Office infrastructure and staff hiring will be completed with the assistance of Commonwealth Medicine (CWM), the public consulting and operations division of UMass Chan Medical School (UMass Chan).

During the Office's implementation, CWM will ensure that the Office is imbued with the right infrastructure, resources, and staff to fulfill its mission to independently monitor and report to the Joint Committees from the Massachusetts Legislature on DOC efforts to comply with the Standards developed by the Office.

**Seth D. Peters, MPH** (Mr. Peters), has been appointed as the **Ombudsman** for the Office. CWM is actively recruiting several positions to support the Ombudsman. Those positions include:

- 1) Two (2) **Regional Administrators**, responsible for fulfilling the mandates of the Office within specific geographical areas in the state, and
- 2) One (1) **Administrative Coordinator** to support the Office, the Ombudsman, and ensure the timely transfer of information.

As part of the implementation process, the Office, in its role as an independent COVID-19 infection compliance monitor for the DOC, will expeditiously review existing standards and procedures, and where needed, develop a set of Office-created Standards, based on insight and guidance from renowned experts in public health. These Standards will serve as a benchmark against which to measure and evaluate the DOC's performance. This review and evaluation will be done in collaboration with experts from CWM, including an infection preventionist, and experts in correctional health care and data analytics/business intelligence, who will assist the Office in setting up its operations and serve as advisors to the Office and the Ombudsman during the Office's independent monitoring tenure.

### ***Phase 2 - Operations***

Second, upon commencement of the monitoring function, the Ombudsman and Office staff will fulfill their mandate and independently monitor and report DOC efforts to the honorable committee members comprising the Massachusetts Joint Committees.

Once the independent monitoring function commences, the Office will provide regular reports (at least bi-weekly) to the Joint Committees. These reports will cover the DOC's ongoing efforts to mitigate COVID-19 infection rates and compliance with the Standards developed by the Office. Specifically, the Office will regularly report out on:

- 1) The DOC's COVID-19 mitigation efforts at departmental facilities; and



- 2) The DOC's policies then in development to further mitigate the rate of COVID-19 infection, specifically in correctional settings in the Commonwealth of Massachusetts; as well as
- 3) Review of the DOC's compliance against Standards, including, if necessary, a recommendation to the Joint Committees that the DOC commissioner testifies on non-compliance with Standards and response actions/remediation plans to bring the DOC into compliance.

## ***Office Staffing and Advisors***

Daily oversight of the Office will be assigned to Mr. Peters, who will serve as the full-time, dedicated director of the Office and the Ombudsman, with office support from a Business Intelligence Analyst and Administrative Coordinator.

The implementation of the Office will be supported by a multi-disciplinary team of seasoned industry experts specialized in correctional health care, business intelligence, and infection prevention (**Advisors**). These Advisors will remain available throughout the engagement in a strictly advisory capacity to support the Ombudsman and Office in discharging its independent compliance monitoring and reporting functions.

CWM anticipates that two (2) additional positions – (i) *Regional Administrator, North*, and (ii) *Regional Administrator, South* – will be onboarded by October 18, 2021, and will function across the Commonwealth of Massachusetts to ensure continuous oversight and monitoring at the DOC's facilities throughout the tenure of the Office. If the scope of work needed to successfully achieve the functions of this office requires an additional *Regional Administrator*, this role will either add to the existing staffing and create a third (3<sup>rd</sup>) region or, if beneficial, the recruitment of a *Regional Administrator* with a behavioral health focus will be incorporated into the staffing model. These positions will enhance the effectiveness, reach, and ultimately the mission of the Office to fulfill its mandate.

Pursuant to M.G.L. ch. 268A, UMass Chan will be the "*appointing authority*" for the Ombudsman. Accordingly, to ensure clarity of role and transparent reporting to the Executive Office of Public Safety and Security and the Joint Committees, the Ombudsman will be administratively supervised by **Joyce Boden, RN, MSM**, Deputy Managing Director, Clinical Delivery and Informatics Solutions (**CDIS**) from CWM. The relationship between the Deputy Managing Director and the Ombudsman is for administrative purposes only, and all work of the Office will be considered technically authoritative and generally accepted by the Deputy Managing Director without change.

For convenience, a staffing matrix representing the Office staff, advisors, and phases is included in *Attachment A* hereto.



## ENHANCEMENTS TO THE PRIMARY FUNCTIONS OF THE OFFICE

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### ***Business Intelligence / Data Visualization***

Business intelligence tools and techniques analyze, aggregate, and visualize raw data from operations into timely and actionable insights. In particular, visual dashboards representing, measuring, and comparing key data points and key performance indicators empower leaders to better understand and interpret the status of operations, identify trends, and highlight opportunity areas. The result of data visualization – leaders can more effectively and efficiently analyze data and trends and quickly and intelligently respond thereto, in real-time, all to drive process improvements and more informed decision making.

The Office will utilize *Tableau*, a visual analytics platform, to transform a vast array of disparate DOC data points into actionable, visual data representations to allow for easier trend analysis related to COVID-19 infection control, resurgence, and mitigation efforts.

### ***Supply Chain Management for PPE Access and Management***

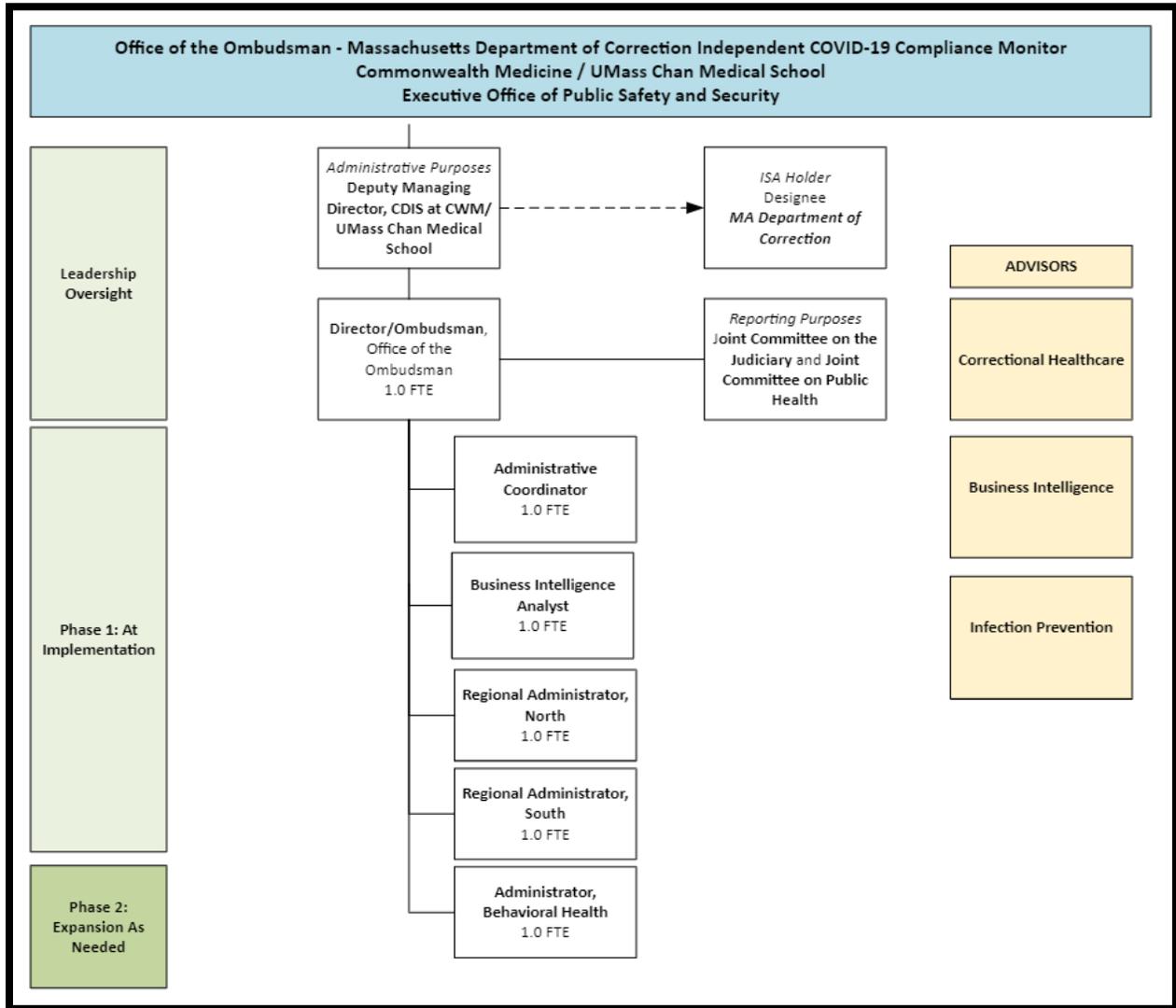
To ensure the effective management of the personal protective equipment (PPE) supply chain, an assessment shall be conducted focusing on three crucial PPE areas: (i) use and education, (ii) supply chain, and (iii) data and analytics. The Office will assess each DOC facility's PPE guidelines and education, PPE burn rate, and supply chain challenges. This effort will include:

- Standardization of staff education of PPE donning and doffing procedures, including use of proper eyewear;
- Evaluation of each correctional facility's fit testing program;
- Establishment and use of a PPE cart with ready-to-use supplies; and
- Introduction of supply status monitoring based on a Centers for Disease Control and Prevention optimization tool of conventional, contingency, and crisis level.



# ATTACHMENT A

## Staffing Matrix



## ATTACHMENT B

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### ***Biography – Seth D. Peters, Director/Ombudsman, Office of the Ombudsman***

As Ombudsman, Seth D. Peters, MPH, is responsible for the independent monitoring and reporting of the Massachusetts Department of Corrections compliance with public health standards related to COVID-19 pandemic health precautions.

In addition to this appointment, Mr. Peters serves as a captain in the Connecticut Air National Guard (CT-ANG) as a Public Health Officer for the 103d Airlift Wing Medical Group. In this position, he manages the public health office, leading occupational and environmental health programs, drafting policies, regulations, and advisories. Mr. Peters was activated for Full-Time National Guard Duty, where he served as a Subject Matter Expert for COVID-19 operations. He has now returned to a Traditional National Guard part-time schedule for this appointment.

Prior to his commission with the CT-ANG, Mr. Peters was a Public Health Epidemiologist with the Rhode Island Department of Health in the Center for Acute Infectious Disease Epidemiology. Mr. Peters helped develop a statewide surveillance system for Carbapenem Resistance (a "superbug" and healthcare associated infection). While in Rhode Island, he also obtained the IPCO/AHCA certification Infection Preventionist Specialized Training. As an epidemiologist, Mr. Peters is experienced in investigating infectious diseases outbreaks in healthcare/congregate settings as well as in the community. He also previously served as Chief of Epidemiology for the City of Worcester Division of Public Health.

Mr. Peters earned a Master of Public Health degree at the University of Massachusetts, Amherst, a B.A. in Sociology from Binghamton University, and an A.A.S. in Paramedic from SUNY - Broome Community College.

