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Record of Variance Action

On September 8, the NYC Board of Correction DID NOT VOTE ON the Health and Hospitals Corporation request for a continuing variance from BOC Minimum Standard 1-02(2)(c) regarding implementation of the Young Adult Plan and the separation of inmates ages 18 through 21 from inmates ages 22 and over. HHC WITHDREW ITS VARIANCE REQUEST PRIOR TO A VOTE.

Pursuant to §1-15(b)(2)(i) of the New York City Board of Correction’s (“Board”) Minimum Standards, the New York City Health and Hospitals Corporation (“HHC”) requests a continuing variance from the BOC Minimum Standards §1-02(2)(c), which requires that “no later than October 15, 2015...inmates ages 18 through 21 be housed separately and apart from inmates over the age of 21,” in relation to the housing of inmates in specialized mental health units, including but not limited to the Program for Accelerating Clinical Effectiveness (PACE) and Clinical Alternative to Punitive Segregation (CAPS) units and for the provision of services through the KEEP program at Anna M. Kross Center (AMKC).

PACE and CAPS units provide therapeutic interventions to patients at risk of decompensation, self-harm, and hospitalization, thereby reducing negative health outcomes, with the distinction that the CAPS unit was designed specifically as an alternative to punitive segregation. These units have higher staffing levels and programming specifically tailored to meet the needs of patients and is geared to encourage group and one-on-one engagement among patients and mental health staff and treatment aides. The care provided within PACE and CAPS cannot be replaced in any other housing unit.

The KEEP program, one of the nation’s oldest jail-based Opioid Treatment Program currently operates out of three (3) facilities: AMKC, Rose M. Singer Center (RMSC), and

Eric M. Taylor Center (EMTC). The program is highly regulated in the manner in which methadone is procured, secured, and dispensed. AMKC is the main facility in which the program is afforded. Establishing the program in a separate facility exclusively for young adults would result in a substantial fiscal impact and additional staffing needs, especially in light of the small number of young adults in need of methadone treatment.

Currently, there are approximately 1200 young adults (18-21 years old) in DOC custody, an estimated two (2) of whom are in need of the care that can only be delivered in PACE or CAPS. This number is not anticipated to significantly increase in the foreseeable future. Similarly, an analysis of 2014 18-21 year old admissions revealed that only 2.3% of intakes (140 out of a total of 6217) in this age group show evidence of opioid withdrawal and required methadone detoxification at intake. Based on the data, it is anticipated that between 5 and 10 young adults will require methadone treatment on a given date. To establish a PACE unit or a KEEP program solely designated to this age group would serve to divert these essential services from adult inmates, identified as the population most in need.

Date on which variance will commence:

Time period, if any:

Any requirements imposed as conditions on variance:

Date on which Board of Correction first approved variance (for renewals only):