



DEPARTMENT OF  
**HEALTH AND HUMAN SERVICES**

Promoting and protecting health, well-being, self-sufficiency, and safety of all in Marin County.



Larry Meredith, Ph.D.  
DIRECTOR

20 North San Pedro Road  
Suite 2028  
San Rafael, CA 94903  
415 473 3696 T  
415 473 3791 F  
415 473 3344 TTY  
[www.marincounty.org/hhs](http://www.marincounty.org/hhs)

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Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Department of Health and Human Services requests waiver of retirement exclusion for James Rodgers, NP in order to provide critically needed Nurse Practitioner services in the Marin County jail.**

Dear Supervisors:

**RECOMMENDATION:** In accordance with California Government Code Section 7522.56(f)(1), please certify that it is necessary to appoint retired County employee, James Rodgers, to an extra-hire appointment for not more than 960 hours to provide critically needed Nurse Practitioner services in the Marin County jail, before 180 days has passed from the date of his retirement.

**SUMMARY:** Title 15, Division 3 of the California Code of Regulations mandates that County correctional facilities provide health, mental health and dental services to inmates in custody. Pursuant to that requirement, the Department operates a 24 hours per day, seven days per week medical/health services unit in the Marin County Jail. The composition of the Jail Medical Staff includes several levels of health professionals including Licensed Vocational Nurses, Registered Nurses, Nurse Practitioners and physicians. The assignment of work is finely tuned to assure that the appropriate health need is matched to the training and licensure of the health provider. The duties of the nurse practitioner are at the core of the medical service and they cannot be replaced by other health professionals. While a contract physician is onsite once a week and is always available for phone consultation, it is the detention nurse practitioner position that maintains an ongoing presence onsite in the jail providing the necessary level of medical care to inmates. In preparation for Mr. Rodgers', a Detention Nurse Practitioner, retirement, the Department has been recruiting for his replacement since December, 2014. Finding a successful candidate has proven to be very difficult for several reasons, including the desirability of working in a detention facility and the requirement to complete a rigorous background check.

The Department continues its recruitment efforts to find a permanent replacement for this critical position. The Department understands and appreciates that this type of request is rare, however in order to remain in compliance with Title 15 and to assure inmates receive appropriate medical care, the Department requests your Board's approval of the extra-hire appointment of not more than 960 hours for the incumbent Detention Nurse Practitioner, James, Rodgers, NP, to provide critically needed Nurse Practitioner services to inmates.

**COMMUNITY BENEFITS:** The proposed action will ensure that adequate medical care, in accordance with State and federal law, will continue to be provided in the County Jail allowing the Department to maintain continuity of care to the inmates.

**FISCAL IMPACT:** There is no increase in net County cost associated with this proposed action. County General Funds for the extra-hire appointment of James Rodgers, NP, are budgeted in the Detention Medical Funds Center 1000105000.

<b>Reviewed By:</b>	County Administrator	[ X ]	N/A	[ ]
	Department of Finance	[ ]	N/A	[ X ]
	County Counsel	[ X ]	N/A	[ ]
	Human Resources	[ X ]	N/A	[ ]

Respectfully submitted,

Larry Meredith, Ph.D.  
Director