



North Carolina Department of Public Safety




Prisons

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MEMORANDUM

TO: Joint Legislative Oversight Committee on Justice and Public Safety

FROM: Eddie M. Buffaloe, Jr., Secretary 
Timothy D. Moose, Chief Deputy Secretary 
Todd E. Ishee, Commissioner of Prisons 

RE: Report on Nurse Staffing at State Prisons

DATE: February 7, 2022

S.L. 2021-180

SECTION 19C.5.(a) *The Department of Public Safety shall report the following information to the Joint Legislative Oversight Committee on Justice and Public Safety by February 1, 2022, and by February 1, 2023:*

- (1) *The total number of permanent nursing positions allocated to the Department, the number of filled positions, the number of positions that have been vacant for more than six months, and information regarding the location of both filled and vacant positions.*
- (2) *The extent to which temporary contract services are being used to staff vacant nursing positions, the method for funding the contract services, and any cost differences between the use of permanent employees versus contract employees.*
- (3) *A progress report on the implementation of its plan to (i) reduce the use of contract services to provide nursing in State prisons and (ii) attract and retain qualified nurses for employment in permanent positions in State prisons.*

The COVID-19 pandemic has made it increasingly difficult to maintain staffing levels at prisons statewide, requiring modified operations at several prison facilities. Recruiting and retaining nursing staff in a correctional environment is inherently challenging, but COVID-19 has significantly compounded the ability to hire and maintain both permanent and contract nursing staff. Over the course of the pandemic, recruitment activities transitioned largely to virtual events and only recently are beginning to transition back to in-person events. Additionally, the Department of Public Safety (DPS) continues to have difficulty with maintaining the pace of increasing market salaries for nursing staff. The global pandemic coupled with the nationwide nursing shortage, has resulted in some of the highest licensed nurse vacancy rates

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North Carolina has ever seen. As DPS faces continued retirements and limited seats in nursing programs, the challenge to recruit licensed nurses will be ongoing.

Nursing Staffing at State Prisons

(1) The total number of permanent nursing positions allocated to the Department, the number of filled positions, the number of positions that have been vacant for more than six months, and information regarding the location of both filled and vacant positions.

For purposes of this report, data includes both the Registered Nurse (RN) and Licensed Practical Nurse (LPN) job classifications as of 12/31/21. As Figure 1 indicates, there were a total of 500 permanent nursing positions in these classifications allocated to the Department with 93 positions vacant more than six months. It is also important to note that S.L. 2017-57 required the reduction of 196 nursing FTEs, depleting the permanent, full-time workforce available to the Department.

Figure 1

Facility	Registered Nurse (RN) Permanent Positions	RN Filled	RN Vacant > 6 Months	Licensed Practical Nurse (LPN) Permanent Positions	LPN Filled	LPN Vacant > 6 Months
Albemarle	4	4		4	3	1
Alexander	11	10		12	8	4
Anson	9	5	4	7	5	1
Avery Mitchell	4	4		6	5	1
Bertie	2		1	2		2
Burke CRV						
Caldwell	1					
Carteret						
Caswell/Dan River	4	2		2	2	
Catawba	1	1				
Prison Admin	1	1				
ACDP	2	1				
CP/CPHC	34	27		55	38	12
Columbus	2	1	1	1	1	
Craggy	4	3		1	1	
Craven	7	5	1	6	4	1
Davidson						
Eastern	3	3		1		
Foothills	6	4		6	6	
Forsyth						
Franklin	2	1	1	1	1	
Gaston	1	1				
Granville	4	3	1	5	1	3
Greene	3	2	1	4	4	
Harnett	3	3		4	3	1

Facility	Registered Nurse (RN) Permanent Positions	RN Filled	RN Vacant > 6 Months	Licensed Practical Nurse (LPN) Permanent Positions	LPN Filled	LPN Vacant > 6 Months
Hyde	2	2		5		3
Johnston	3	1	1	5	2	3
Lincoln	1					
Lumberton	5	3	2	4	2	1
Marion	8	4	1	7	7	
Maury	10	7	1	16	2	11
Mt View	6	3	1	3	1	2
Nash	6	4	1	3	3	
NCCIW	34	16	5	24	18	2
Neuse	2		2	5	3	
New Hanover	3	3		3	3	
North Piedmont	3	2	1			
Orange	2	2				
Pamlico	1		1	2	2	
Pasquotank	2	1	1	5	4	
Pender	5	4	1	7	5	2
Piedmont	5	4	1	10	7	2
Randolph	3	2		3	3	
Richmond	2	1		1		
Roanoke River	2		2	2		1
Robeson CRV						
Rutherford	1	1				
Sampson	1	1		2	2	
Sanford						
Scotland	7	4	2	15	13	1
Southern	4	2	2	4	3	1
Tabor	7	6		7	5	1
Tyrrell PWF	1	1		1		
Wake	2	2		1	1	
Warren	2	2		4	3	1
Western CCW	2	1		3	2	1
Wilkes	1	1				
Totals	241	161	35	259	173	58

(2) The extent to which temporary contract services are being used to staff vacant nursing positions, the method for funding the contract services, and any cost differences between the use of permanent employees versus contract employees.

Temporary contract nursing services are sourced through two methods. Temporary staff are sourced from the state's contracted temporary employment agency, Temporary Solutions, who may be employed for

11 consecutive months before they are required to take a 30-day break. Prisons contract nurses are sourced from 21 competitively-bid vendors that provide nursing staff on a short-term, 13-week, contract basis. These contract and temporary positions are paid at hourly rates and are funded by lapsed salaries.

Because contract and temporary nurses may only work on a short-term basis, it inhibits the ability for these employees to assume all responsibilities of a full-time employee. The 30-day break temporary staff are required to take annually creates a staffing burden for the Department. As a result, the duties assigned to contract and temporary staff employees are less involved and typically limited to performing the most basic needs necessary for patient care.

Figure 2 below shows the distribution of temporary contract services being used to staff vacant nursing positions. This number has doubled since 2017.

Figure 2

December 2021 Data	Total
Contracted Nurses/Temporary Solution Nurses	214
Total	214

Figure 3 and Figure 4 below show the cost differences between the use of permanent employees versus contract employees for both registered nurses and licensed practical nurses, respectively. For permanent nurses, estimates include the current benefit value of 30.54% for Social Security and Retirement Contributions. There has been a significant widening between the salaries for both registered and licensed practical contracted nursing staff and permanent, full-time nursing staff. This disparity, while necessary to compete in the contractual nursing market, continues to impact the ability to retain, recruit and hire permanent nursing staff.

Figure 3

Registered Nurse Average Pay	Average Hourly Rate	Annualized Rate
Contracted Nurses	\$56.21	\$116,917
Permanent Nurses	\$39.90	\$82,992
Cost Difference	\$16.31	\$33,925

Figure 4

Licensed Practical Nurse Average Pay	Average Hourly Rate	Annualized Rate
Contracted Nurses	\$41.63	\$86,590
Permanent Nurses	\$29.62	\$61,610
Cost Difference	\$12.01	\$24,981

Figure 5 is a comparison of North Carolina registered nurse and licensed practical nurse salaries according to U.S. Labor Bureau of Statistics. Base salaries are depicted at the 25th, Median, 75th, and 95th percentiles. The Department has made efforts to remain competitive with new hires. However, Figure 5 indicates compression within the higher percentiles indicating an in-range adjustment should be reviewed for the most tenured complement of nurses to continue to retain them.

Figure 5

	NC RN Annual Salary	NC DPS RN Annual Salary		NC LPN Annual Salary	NC DPS LPN Annual Salary
90 th Percentile	\$94,750	\$81,402	90 th Percentile	\$59,126	\$51,500
75 th Percentile	\$81,081	\$72,155	75 th Percentile	\$50,277	\$50,320
Median	\$68,620	\$66,652	Median	\$47,443	\$47,783
25 th Percentile	\$58,850	\$62,600	25 th Percentile	\$34,993	\$46,000
New Grad RN	\$50,000	\$55,324	New Grad RN	N/A	N/A

Source: US Labor Bureau of Statistics

It is important to note that the private sector data does not include sign-on bonuses, retention bonuses, or salary increases through differential programs which, depending on locations and providers, may be applied in addition to the base salaries indicated. These types of incentive programs are commonly used by the private sector and would likely create larger differences in overall compensation levels than indicated in this report.

Current Efforts to Reduce Nurse Vacancies

(3) A progress report on the implementation of its plan to (i) reduce the use of contract services to provide nursing in State prisons and (ii) attract and retain qualified nurses for employment in permanent positions in State prisons.

A number of efforts are underway to address nursing position vacancies. The COVID-19 Pandemic has limited the Department's ability to move forward as planned with many initiatives. A brief summary of efforts currently underway to help reduce nursing vacancies is listed below. Some of these initiatives will require additional funding to implement, expand or continue.

RN New Graduate

This program began in September 2017 and continues presently. The Department has been successful with attracting nurse graduates to work in correctional nursing. The program focuses on recruitment of senior nursing students or recent nursing student graduates who will be licensed as a registered nurse in North Carolina or eligible to practice in North Carolina under a compact/multistate license within six months of their State online employment application. Those eligible can apply, interview, and have a contingent offer of employment issued with a starting salary of \$50,000, provided the applicant successfully graduates and becomes licensed. If for any reason eligible applicants do not graduate or do not become licensed within six months of the date of their application, the initial contingent offer is rescinded, and they will be required to reapply once they are licensed. There have been approximately twelve new graduates hired within the Department since the inception of this program.

New graduate nurses are approved only at those facilities that can accommodate the training and orientation that is required for the specialty of correctional nursing. There are approximately 25 prisons who expressed a desire to hire and mentor new graduates. However, 70% of those facilities requested to pause the program citing staffing shortages and concerns graduates would have a poor experience due to staffing stress and lack of mentorship availability. The impact of the COVID-19 pandemic has significantly limited the ability for all 25 facilities to participate in this program. As vacancy rates are reduced, the Department will incrementally bring this program back online statewide. Additionally, DPS will work with OSHR to evaluate the 2017 starting salary for nurse graduates to determine any adjustments based on current market data.

Senior RN Student Clinical Rotations

Staff continues to work with local community colleges and universities to get senior nursing students approved and cleared to perform their 160 required clinical rotations at Central Prison. This allows the Department to introduce them to correctional nursing and promote employment opportunities after graduation /licensure. These nurses, in turn, would be eligible to apply through the RN Statewide-Continuous posting prior to graduation. The COVID-19 pandemic has severely limited the number of students allowed to work within prisons, but the expectation is that this program will rebound again as the impact of the pandemic lessens and nursing staffing vacancies decrease to allow sufficient time and resources for mentorship activities.

Regional Recruiters for Healthcare Professional Positions

The human resources and communications staffs within the Department continue to collaborate to increase DPS visibility and the flow of nursing applications. Recruiters have begun transitioning from virtual recruitment activities to more in-person events and job fairs. Because of the increased vacancy rates, most prisons are scheduling a recruitment event every month to address vacancies in all classifications, including nursing. Internal approval is pending to establish four regional prison recruiters with a direct focus on the health care positions that are most difficult and critical to recruit and fill statewide. The Department continues to collaborate to find unique and inventive options for recruiting. One example is offering CEU credits as a recruiting incentive.

Nursing Resource Liaison/School Nurse Recruiter

The Prisons school nurse recruiter continues to maintain a presence at various schools, nursing hiring events and job fairs to focus on nursing recruitment. In addition, the nurse recruiter now serves on various nursing school boards to continue to increase awareness of correctional nursing. This position also coordinates clinical placement of all nursing students on clinical rotations.

Nurse Floating/Rotating Staff Pool

The Department has increased the use of floating/rotating registered nurse pools in all regions of the state to assist with and provide relief with the day-to-day vacancies at prison facilities. Float nurses are trained in nursing operations at all acuity and custody levels to allow for the provision of nursing assistance where most critical at prisons within their geographic area. This retention program is intended to minimize or mitigate job burnout and also offer the float nurse a variety of assignments in different specialty areas.

New Nurse Orientation (NNO) and Nursing Leadership Orientation

This program has been revised and is ongoing to include specific onboarding efforts, a process through which new employees acquire the necessary knowledge, skills, and behaviors to become effective organizational members. The onboarding process includes formal meetings, lectures, videos, printed materials, or computer-based orientations to introduce newcomers to their new jobs and organizations. This includes a structured orientation and preceptorship of nurses (i.e., training specifically with an experienced RN), but it also includes the assignment of a buddy who is available to provide a personable approach to blending socially into the organization. Research has demonstrated that these socialization techniques lead to positive outcomes for new employees such as higher job satisfaction, better job performance, greater organizational commitment, and reduction in occupational stress thus leading to better retention.

Sign-on and Retention Bonus Program

A sign-on and retention bonus was approved by OSHR and implemented in September 2021 for the medical facilities at Central Prison and North Carolina Correctional Center for Women. The Department funds this program through the use of lapsed salaries as follows:

<u>Classification</u>	<u>Bonus Amount</u>
Charge Nurse	\$5000
Health Care Technician I, II	\$1000
Licensed Practical Nurse	\$3000
Registered Nurse (< 3 years of experience)	\$3000
Registered Nurse (> 3 years of experience)	\$5000

Several hiring events have been held for nurses in the last few months promoting the sign-on bonuses. The program was expanded in November of 2021 to include any prison facility with a nursing vacancy rate above 20%. Medical sign-on bonuses have been issued to 15 qualified candidates since September 2021. With the continual increase in nursing vacancy rates statewide, DPS is working to identify additional funding to increase the medical sign-on bonus program statewide. Recently, DPS has learned that other state agencies have increased their sign-on bonus amounts for their registered nurse, licensed practical nurse, and health care technician vacancies. If funding can be identified, DPS will request to increase the current bonus amounts to match what other agencies are presently offering to remain competitive in the current market. Once approved, the Department will enter into a marketing campaign to be rolled out statewide and incorporated into ongoing recruitment events. Since the onset of the pandemic, sign-on bonuses have become standard among employers recruiting nurses.

Flexible Shift Scheduling

In January of 2021, Prisons Nursing Services conducted a survey of nursing staff to determine shift preferences among staff and how the agency can assist in meeting the employees' work-life balance goals. The survey revealed that over 50% of nursing staff preferred 12-hour shifts. Over the past year, to assist with recruitment, Nursing Services has begun offering 12-hour shifts at various locations and plans to continue offering this schedule to both existing and new nursing personnel.

Critical Nursing Staffing Supplemental Pay

DPS received approval from OSHR and identified funding to provide a 20% supplemental pay increase beginning May 1, 2021 at the two medical facilities in Raleigh (Central Prison, North Carolina Correctional Center for Women) in response to the COVID-19 pandemic. This was expanded statewide to all nursing related staff October 1, 2021. This supplemental pay program ended December 31, 2021 due to the limitations associated with coronavirus relief funds, but discussions are in process for funding consideration to extend these incentives to assist with retention of nursing staff. The ability to provide this supplemental pay under the Communicable Disease Emergency Policy ended June 30, 2021. Therefore, this pay has been and would be extended under an exception to the Communicable Disease Emergency Policy approved by OSHR.

Use of Unlicensed Assistive Personnel

Although licensed nurses are essential to many aspects of establishing and implementing the health care plan, unlicensed personnel can provide much support to the nursing team. DPS is broadening the use of unlicensed personnel (UAP) by recruiting certified nursing assistant IIs and medical assistants. Use of UAP is a cost-effective way to procure patient care staff to meet the healthcare needs of the offender population. DPS has begun hiring certified medical assistants through both Temporary Solutions and the contracted vendors and incorporating these staff into the health care delivery plan. Research is ongoing to determine if changes to the current health care technician classification would allow hiring of certified medical assistants into permanent, full-time positions, or if a new classification would need to be established.

Expedited Salary Approval for Registered Nurses and Licensed Practical Nurses

During 2021, salary delegation for registered nurse and licensed practical nurse positions was approved by DPS Human Resources to be managed at the Division of Prisons level. This delegation eliminated steps in the hiring process reducing the time between the nurse's interview and the conditional offer of employment. Additionally, during hiring events at multiple sites across the state, a same-day or up to 72-hour salary approval approach was utilized. Offering a salary with this short turnaround time assisted in securing candidates and start dates quickly. This turnaround time is consistent with the community and increases the competitiveness of the agency.

Student Loan Forgiveness/Grants

As a potentially significant recruitment and retention tool, DPS is committed to pursuing all opportunities available to participate in student loan forgiveness/grants programs, including those available through the United States Health Services and Resources Administration (HRSA) and others for new graduate nurses who work in approved facilities in rural or hard-to-recruit geographic areas. Although this option is already available to some locations, efforts will continue to better promote the program to current and new nurse candidates through enhanced communication and promotion. DPS will also work to get other qualifying locations approved.

Bonus Budget Initiatives

The 2022-2023 budget provided an additional \$500 for employees requiring frequent in-person contact. It also extended payments for employees working in high-need facilities through June 30, 2022. Both of these budget initiatives will help with retention of our nursing staff.

Nursing Market Study

It is important to ensure the Department's registered and licensed practical nurses are being paid within a range equitable to the current market rate. Salaries in line with what is being offered in the private sector for comparable nursing work is essential to the Department's ability to compete and succeed in recruitment and retention efforts. A market study was completed in January 2021. Although salary recommendations were made for some classes, one key finding was the need for sign-on bonuses. As described elsewhere in this report, this was implemented in 2021. Given the dynamics of the health care labor market, a current study is warranted. To that end, DPS is looking forward to information resulting from OSHR's implementation of the Mercer Compensation Study.

Extended Duty

During the pandemic, DPS received approval for a group of nursing staff who are exempt from the hours of work and overtime provisions of FLSA to be approved for extended duty for a temporary period. This group of nurses assisted our facility nursing staff across the state in administering vaccines to the offender population. These staff worked extra shifts above their normal work schedules (not to exceed 20 hours per week) and received additional pay on a straight-time basis. During this project, the Department identified an internal pool of trained nurses that could be utilized to fill gaps with unfulfilled care roles within our organization. With current nursing shortages across North Carolina, nursing staff often take the opportunity to provide services for other health care providers to supplement their income through secondary employment. Expanding this program on a permanent basis would allow DPS to utilize these nursing resources internally and could result in a float pool of up to 50 fully trained DPS nurses that would provide needed relief to our registered and licensed practical nurses.

Proposed Efforts to Reduce Nurse Vacancies

The COVID-19 pandemic has limited the ability to move forward as planned with many of initiatives. Below is a brief summary of proposed initiatives to reduce nursing vacancies. Some of these proposals will require additional research and fiscal analysis if considered for implementation.

Shift Differential Pay

To assist with recruitment and particularly, retention, DPS proposes utilization of shift differential pay, as set forth below.

- 2nd shift additional pay - 15%
- 3rd shift additional pay - 20%
- 1st shift Weekend shift additional pay - 10%
- 2nd shift weekend additional pay - 25%
- 3rd shift weekend additional pay - 30%

Tiered/Incentivized Salary Plan

This program is directed towards early to mid-career registered nurses and licensed practical nurses to assist with recruitment and particularly, retention. DPS proposes a tiered salary plan for nurses. The proposed plan would be based upon actual worked years of experience, using the state's current base salary schedule. Steps would be broken down at the experience levels set forth below.

- New Graduate
- 1-5 years
- 6-10 years
- 11+ years

Each nurse would be assessed based on actual years of nursing experience and would be placed in the tier at which their experience level qualifies. For example, all nurses who have 1-5 years of experience would be hired at the same salary level. Nurses would advance to the next tier/level when they attain the required years of experience. Comparisons can be made by looking at salaries in the private sector for 2, 3, 4, and 5-year nurses. This plan would provide an incentive to nurses to remain employed in order to advance to the next level. Additional research is needed to determine salary for each level at the current market rate. A salary study would also be required prior to implementation to ensure internal equity and overall fiscal impact of such a plan.

Employee Referral Bonus Program

This is a proposal to create a policy and plan in conjunction with OSHR to reward current employees who refer qualified candidates for several classifications of established, difficult-to-recruit positions. Registered and licensed practical nurses would be included in this program. There would be a payout to the referring employee with the first active pay period that the candidate is employed, and a supplemental payout once the referred employee reaches a pre-determined employment milestone. All payouts are subject to qualifying guidelines which would ensure that both the referring and the referred are in good employment standing at the time of payout.

Nurse Supervisor Orientation

In an effort to complement the new onboarding process for nursing staff, the nurse supervisor orientation is being revised to include online classes and seated management leadership classes offered by the Office of State Human Resources (OSHR), including Leading at all Levels (LAAL). The LAAL provides integrated, competency-based, comprehensive, and cost-effective curricula for state government leaders at all levels.

Leadership, a process of proactively influencing others, is necessary at every level of the organization for healthy, effective, and efficient work environments. LAAL spans four levels: executive, middle manager, frontline supervisor, and individual contributor. Each of the three primary levels (middle manager, frontline supervisor, and individual contributor) has its own curriculum. Each curriculum centers on the development of key actions and behaviors to demonstrate effectiveness in the following competency areas: integrity, leading people, managing work, creating a learning climate, change leadership, technical/professional knowledge, and customer service.