

OFFICE OF THE INSPECTOR GENERAL

CITY OF BALTIMORE



Isabel Mercedes Cumming
Inspector General

Investigative Report Synopsis

OIG Case # 21-0032-I

Issued: September 29, 2021



OFFICE OF THE INSPECTOR GENERAL
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September 29, 2021

Dear Citizens of Baltimore City,

The Mission of the Office of the Inspector General (OIG) is to promote accountability, efficiency, and integrity in City government, as well as to investigate complaints of fraud, financial waste, and abuse. The OIG was informed during a prior investigation¹ that the work conditions at the Baltimore City Health Department's (BCHD) Druid Sexual Health Clinic (Druid SHC),² located at 1515 North Avenue in Baltimore, were unsanitary, substandard, and resulted in the waste of medical supplies.

The OIG conducted a site visit to the Druid SHC in December 2020. While onsite, the OIG observed rodents, insects, malfunctioning doors, temperature control issues, and other maintenance concerns. Additionally, the OIG was informed by multiple Druid SHC employees that the inability to regulate the temperature throughout the complex had caused interruptions to the rapid testing of patients for sexually transmitted infections (STIs).

Methodology

The OIG interviewed BCHD employees and Johns Hopkins University (JHU) contractors working at the Druid SHC.³ Additionally, the OIG interviewed the Health Facilities Coordinator as the subject matter expert on BCHD building maintenance at the administrative level. Lastly, the OIG interviewed a member of the BCHD executive management team regarding potential renovations, upgrades, and maintenance issues at the Druid SHC.

Furthermore, the OIG reviewed documents related to the Druid SHC facility including the following:

- BCHD budget information
- Memorandums of Understanding (MOUs) between the City and local labor unions
- Occupational Safety and Health Administration (OSHA) regulations
- Code of Maryland Regulations (COMAR) for laboratories
- Package insert information for OraQuick rapid tests

OIG Inspection of Druid SHC

The OIG conducted a site visit of the Druid SHC facility in December 2020.⁴ As detailed below, the OIG identified health and safety concerns in the patient waiting room, staff offices, laboratory facilities, basement, medical supply room, and rear stairwell.⁵

¹ The separate investigation was previously detailed in the Report of Investigation (ROI) for case 20-0021-I.

² Druid SHC provides testing, diagnosis, and treatment for sexually transmitted infections, including Human Immunodeficiency Virus.

³ BCHD employees and JHU contractors work at the Druid SHC and will be collectively referred to as SHC personnel.

⁴ Although the Druid SHC was not seeing patients at that time, the OIG did observe BCHD employees working in the facility.

⁵ These conditions were at the time of the site visit and may have been addressed since December 2020.

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Deceased rodents in the basement supply room and stairwell (Figure 1), accompanied by a foul odor, were notable observations.⁶ Additionally, deceased insects were observed in the supply room and basement areas (Figure 2). The OIG was able to confirm that in April 2021, BCDH employees communicated amongst each other about the dead rodent, seemingly in the same area of the basement the OIG observed in December 2020.

Figure 1: Rodents in basement and stairwell

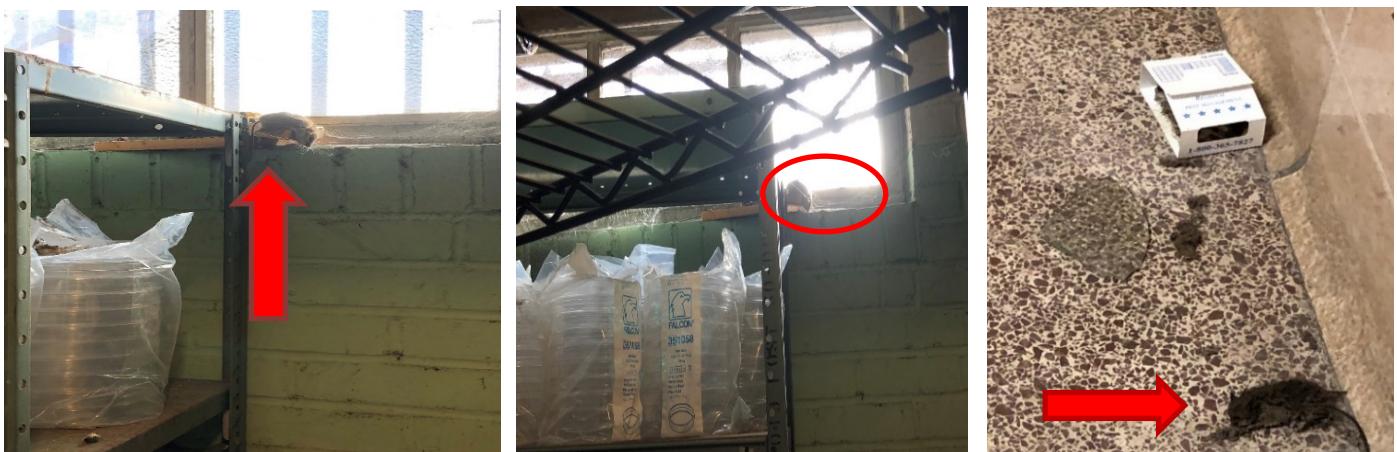


Figure 2: Insects in supply room and basement



In addition to rodents and insects, the OIG observed damaged or missing ceiling tiles (Figure 3) throughout the Druid SHC facility. Multiple witnesses told the OIG the Druid SHC's roof leaks, likely causing the observable water stains. The OIG also observed the door to the staff office area was unsecured and damaged (Figure 4).

⁶ The breakroom for Druid SHC employees is in the basement area.

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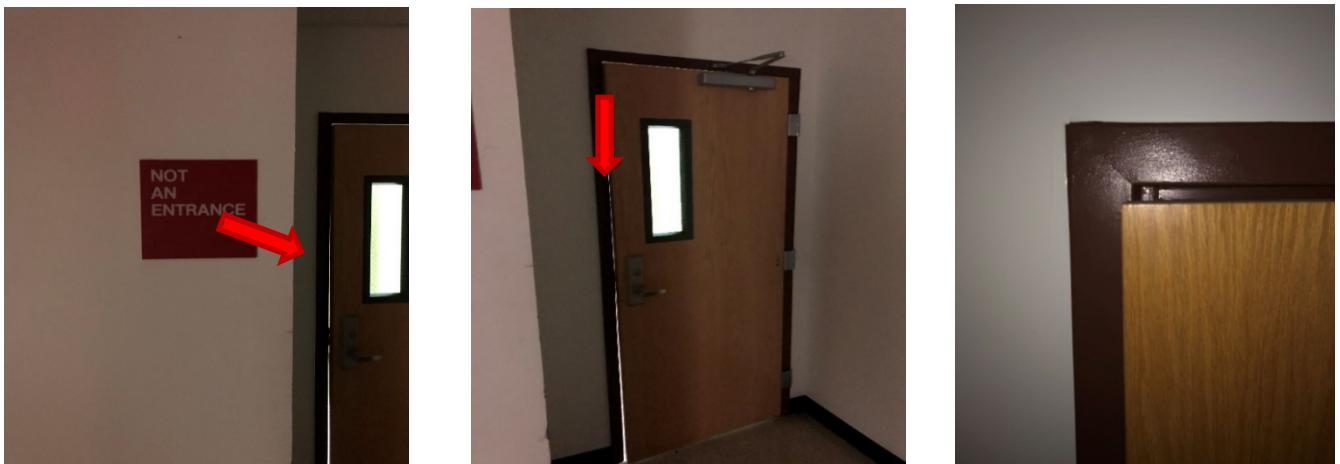
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Figure 3: Damaged ceiling tiles in (from left to right) SHC hallway, Room 201, near the lab area, and room with computer server equipment/wires



Figure 4: Unsecured and damaged access door



The OIG also observed a water leak in the basement and a running water pipe in the men's restroom closet (Figure 5). According to the BCHD employee who was on site, no one was aware of the basement leak until the site visit, and although the running water in the men's restroom is a nuisance, it did not impact operations.

Figure 5: Water Leak in Basement (left) and running water pipe in the men's restroom closet (right).



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Obstacles for Druid SHC Maintenance

When asked about general maintenance and sanitation challenges at the Druid SHC, the BCHD manager stated that rodents have been an ongoing problem due to multiple factors, including the age of the building. According to a BCHD manager, a pest control vendor services the Druid SHC every two weeks, removing old traps and installing new traps. However, the separate BCHD janitorial services vendor refuses to remove the deceased rodents.

Additionally, the BCHD manager stated the Druid SHC's dumpster is frequently overfilled, creating a rat infestation outside the building. Despite prohibitions, residents and businesses from the surrounding area discard their trash in the dumpster, causing it to overflow. An OIG photo of the Druid SHC dumpster in April 2021 shows it filled to capacity (Figure 6). According to the BCHD manager, there have been discussions about the dumpster problems with the Department of General Services (DGS), who has agreed to assist with installing a fence to limit the public's access to the dumpster, and with the Department of Public Works (DPW), who agreed to pick up the trash twice a week.

Figure 6: Druid SHC Dumpster



Potential OSHA and MOU Issues

The OIG's observations in the above areas confirmed the allegations about the lack of regular maintenance and sanitation at the Druid SHC. These concerns were exacerbated by the rapid spread of COVID-19.

These health and safety concerns potentially violate Occupational Health and Safety Administration (OSHA) regulations and the Memorandums of Understanding (MOUs) the City has with its labor unions. OSHA provides regulations for general environment control, including vermin control. The Druid SHC is staffed by City employees who are members of American Federation of State, County, and Municipal Employees Local 44 (AFSCME 44) and the City Union of Baltimore (CUB). The City's MOU with AFSCME 44 states the employer shall provide employees with a safe and healthy workplace. According to the City's MOU with CUB, unsafe or unhealthy work situations that are not handled satisfactorily by the City could become the subject of a grievance.

Extreme Temperatures and Testing Interruptions

During the investigation, several SHC personnel alleged that the heating, ventilation, and air conditioning (HVAC) system does not properly regulate the temperature throughout the Druid SHC.⁷ These SHC personnel stated the temperature inside the Druid SHC can become extremely hot. One BCHD employee reported the indoor temperature to be 90°F on a workday in March 2021. During the OIG site visit to the Druid SHC, the office temperature was higher than the thermostat setting in the staff office area (Figure 7).

Figure 7: Room temperature higher than thermostat setting (left) and SHC staff office area where thermostat is located (right)



Multiple Druid SHC personnel reported instances when rapid testing for Human Immunodeficiency Virus (HIV) and Hepatitis C Virus (HCV) were halted due to the high building temperatures. Relevant correspondence obtained by the OIG suggested extreme temperatures could cause inaccurate test results or otherwise impact proper storage of the test kits. According to the manufacturer's test guidelines, the recommended storage temperature for the Rapid HIV tests is between 35°F and 80°F; the recommended storage temperature for the Rapid HCV tests is between 36°F and 86°F. If the tests are stored outside of these ranges, the kit controls must be run to ensure the tests are working sufficiently.⁸

During the site visit, the OIG observed boxes of OraQuick Advance Rapid HIV and OraQuick Rapid HCV tests that were marked "expired". The OIG was unable to determine if the expiration resulted from temperature irregularities, though such irregularities outside of the manufacturer's guidelines could lead to wasted tests. The Code of Maryland Regulations (COMAR) Chapter 10.10.12.09 states that public health testing personnel must follow the manufacturer's test specifications and instructions, including being aware of precautions and warnings for the tests.

According to the BCHD manager, the Druid SHC's laboratory needs a separate HVAC system from the rest of the building in order to maintain a consistent temperature for testing operations. The BCHD

⁷ None of the personnel were skilled HVAC professionals and the OIG did not solicit the expertise of DGS's HVAC unit.

⁸ Package inserts for the OraQuick Rapid HIV and OraQuick Rapid HCV tests can be found on the Federal Drug Administration's (FDA) website. (<https://www.fda.gov/media/73607/download>) (https://www.accessdata.fda.gov/cdrh_docs/pdf8/p080027s001c.pdf)

manager said that they have requested HVAC upgrades as part of the City's Capital Improvement Program (CIP).⁹ This request is reflected in correspondence between BCHD and DGS.

Future Plans for Druid SHC

The BCHD Deputy Commissioner told the OIG that they are aware of concerns with the Druid SHC building, including the ongoing rodent issues. The BCHD Deputy Commissioner also stated Druid SHC is the next BCHD building to receive CIP funding for renovations. According to the BCHD Deputy Commissioner, the BCHD is reviewing the possibility of purchasing a different building, completing renovations, and moving the Druid SHC into the renovated building. Additionally, the BCHD Deputy Commissioner stated the BCHD could apply to use funding from the American Rescue Plan Act to assist with improvements and upgrades.

Conclusion

The OIG's observations during its site visit to Druid SHC raised concerns about BCHD's compliance both with OSHA environmental regulations and with employee health and safety requirements in the City's MOUs with labor unions. Additionally, SHC personnel told the OIG that high temperatures in the Druid SHC have caused interruptions to rapid testing services for patients. These irregular temperatures could lead to the potential waste of test kits and may violate provisions of COMAR regarding proper public health testing. Lastly, the OIG learned from BCDC management that BCHD is planning to complete improvements to—or possibly relocate—the Druid SHC because of the ongoing facility concerns.

Sincerely,



Isabel Mercedes Cumming, Inspector General
Office of the Inspector General

Cc: Hon. Brandon M. Scott, Mayor of Baltimore City
Hon. Nick Mosby, President, City Council
Hon. Bill Henry, Baltimore City Comptroller
Honorable Members of the Baltimore City Council
Hon. Jim Shea, City Solicitor

⁹ According to the City's Department of Planning website, "A capital improvement is a long-term investment, typically in physical infrastructure, such as roads, monuments, public buildings, parks, or art." (<https://planning.baltimorecity.gov/planning-capital-improvement>)