

# The Star-Ledger

## **A prison nurse died, and her union says N.J. fails to protect staff from coronavirus behind bars**

By Blake Nelson

NJ Advance Media for NJ.com and The Star-Ledger

Published May 8, 2020

Nurses in New Jersey prisons are working in “horrific conditions” that pose an “imminent hazard” to their health amid the coronavirus pandemic, a union said this week in a workplace complaint against Rutgers University Correctional Health Care, the group that provides medical care in the state’s adult and juvenile systems.

The union, Health Professionals and Allied Employees, claims Rutgers was partially responsible for the death of Susan Cicala, who worked at Northern State Prison.

“Although management has claimed to take measures to protect employees from COVID-19, those measures have been poorly implemented or lacking,” according to the complaint filed Monday with the state health department. “We believe these workplace exposure factors significantly impacted the conditions which caused RN Susan Cicalo’s death.”

The union raised concerns with Rutgers and the corrections department for weeks with little response, according to union president Debbie White.

“The goal is to change the work environment,” White said.

The complaint was filed with New Jersey’s Public Employees Occupational Safety and Health office, which is similar to the federal Occupational Safety and Health Administration, also known as OSHA.

If the state opens an investigation, any violations found by inspectors can lead to fines. The health department is already investigating the nurse’s death, according to an agency representative.

At least 579 employees in adult prisons and 35 staff in the juvenile system have tested positive for COVID-19, according to public data.

Rutgers spokesman Zach Hosseini declined to comment on the complaint, but wrote in an email that “we have followed state and federal guidelines from the Department of Health and the CDC to ensure the health and safety of our staff and their patients.”

“University Correctional Health Care has been on the frontlines in difficult and challenging environments caring for inmates, who are a vulnerable population,” he wrote. “We are proud of our work providing essential care for those inmates and of how we meet the mission for the state of New Jersey.”

Corrections spokeswoman Liz Velez wrote in an email that they “cannot comment on a pending complaint.” Lisa Coryell, a spokeswoman for the Juvenile Justice Commission, also declined comment.

The complaint echoes similar concerns officers and inmates have raised for weeks within a prison system that has the highest coronavirus death rate in the nation.

Prison nurses caring directly for COVID-19 patients were only given a single N95 mask for weeks, according to the complaint, forcing staff to wear “filthy, contaminated N95s for exceptionally long periods.” Officials wouldn’t answer questions about how to use the masks, failed to offer training, didn’t provide a safe place to store them and handed out expired masks, the union said.

The U.S. Centers for Disease Control allows N95s to be reused if they are carefully cleaned and stored, and state law requires public employers to pay for effective protective gear.

A nurse who raised concerns about masks during a “fit test,” when employees try on masks, was sent home as punishment and forced to use paid-time-off hours while away, the complaint said, which created “a chilling effect to other employees who saw ... the consequences of not lying to the employer.”

The complaint also said sanitation supplies were “chronically insufficient,” goggles were scarce and employees treating coronavirus patients were mixed with staff who weren’t.

Three nurses at adult prisons told NJ Advance Media they had trouble getting protective gear and were discouraged from asking for more.

Each spoke on condition of anonymity, because all staff were told in March that as “Rutgers employees, we are not to be speaking to the media without prior approval,” according to an email obtained by NJ Advance Media.

“It’s traumatizing, to say the least,” said one nurse at New Jersey State Prison in Trenton.

COVID-19 patients had overflowed from the Trenton prison’s infirmary into a mental health unit, the nurse said, where she wasn’t sure staff were prepared to deal with respiratory problems. Inmate cleaning crews didn’t effectively clean beds between patients, she said, and face shields often arrived broken in the box.

One doctor had to manually hold the shield to his head because the Velcro strap broke, she said, and the prison once stopped fitting staff for masks because the nurse in charge of training tested positive.

Another nurse at the Adult Diagnostic and Treatment Center in Woodbridge who contracted the virus said she received pushback from a superior when she asked for more gowns.

At Newark's Northern State Prison, a nurse said she was ordered to give medication to inmates who had the coronavirus, even though she didn't have an N95 mask.

A fourth nurse, from the juvenile system's Johnstone Campus in Bordentown, said a supervisor couldn't find her a mask that fit and so blocked her from working completely.

Rutgers spokesman Zach Hosseini did not directly respond to any of the allegations made by nurses during interviews.

Rutgers University Correctional Health Care is overseen by Julie White, who sent the email telling staff not to speak with reporters without approval.

She did not respond to an email asking if any of the nurses interviewed faced possible discipline. Hosseini wrote that Rutgers asks "that questions from the media are referred to our media relations representatives because they are simply in the best position to provide quick, accurate and thorough information to the public."

Gov. Phil Murphy previously said mass testing for inmates and officers should begin at the end of this week, but none of the nurses in the adult system had seen the process begin by Thursday.