

# CORRECTIONAL DENTAL ASSOCIATES

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George W. Hayman, M.S.W.  
Assistant Commissioner  
New Jersey Department of Corrections  
Whittlesey Road, CN 863  
Trenton, New Jersey 08625-0863

June 30, 2005

Dear Mr. Hayman:

Please be advised that we are extremely concerned about the accuracy, reliability and scope of the statistical information and any associated assessment you are receiving relative to the CMS dental service. Satisfactory dental service performance can only be properly evaluated utilizing comprehensive statewide statistics, which at this point in time are not readily available. Therefore, any assessment based on the submitted CMS New Jersey Regional Data (see attached reports) and the NJDOC HS-03 (Monthly Report) that is complimentary of the CMS performance and contractual compliance is speculative and statistically unsubstantiated. We have enclosed an accurate calculation of the 2005 required patient visits. Furthermore, comprehensive evaluation of the dental compliance data, for a contract that requires over 64,000 patient visits per year, requires extensive experience and training.

Without the statistically comprehensive CDA Monthly Report, which is no longer attached to the CMS New Jersey Regional Data, there is no information as a base or comparison for thirteen out of fourteen institutions in the CMS New Jersey Regional Data regarding total patient visits or routine treatment visits, which should include routine extractions, fillings and prosthetic treatment. No one can accurately assess an acceptable level of contractual compliance because routine patient visits, which comprise 48.5% of all required patient visits, are not being reported in the CMS New Jersey Regional Data. The attached CMS New Jersey Regional Data for April of 2005 support the June 14, 2005 letter to Director Naiman and demonstrate the following:

0.6% reported compliance with 149 required prosthetic cases for April, 2005  
0.0% reported compliance with 455 required biennial recall/check ups  
30.8% reported compliance with estimated dental sick calls seen  
(1,027 per month average for 2005)  
0.0% - 12.0% estimated compliance with routine treatment (2,801 per month average for 2005)  
7.4% reported compliance with required patient treatment visits  
(based on the 2004 monthly requirement, minus intake and annual recalls)  
86.9% monthly increase in Oral Surgery Consults with only 30% of the required dentist staff in place. We would estimate a 282% increase based on 100% staffing with a similar staff.

The overall statewide monthly average for reported dental sick calls in 2005 was 1298 sick calls reported per month. The CMS New Jersey Regional Data reported a 76.2% drop to 309 reported statewide dental sick calls. This tremendous reduction from a very stable and consistent long term average, with a recorded maximum downside variance of 21.6% (2004 low of 1023) and a maximum upside variance of 27.7% (2004 high of 1669) is absolutely inconceivable to us and requires explanation. (See attached 2004 Annual Statewide Dental Sick Call Report)

Upon review of the attached documents regarding the CMS New Jersey Regional Data and other information gathered by our Open Public Records Act Request-Tracking #1995, the deficiencies in dental sick call and prosthetic care are clear. It is difficult to precisely gauge the deficiencies in routine care because the basic information is not listed in the CMS New Jersey Regional Data. However, by assessing overall patient visits through our institutional sources and utilizing a common sense approach, which assumes that even a struggling insufficient dental service would attempt to handle emergencies before routine treatment, we can confidently state the level of compliance with routine dental care, similar to the low level of prosthetic and biennial recall/check up compliance, must be significantly below the documented sick call compliance.

Based on their own reports, CMS is three months behind in all required dental treatment and they will fall further behind each month. In order to achieve an annual level of contract compliance the dental service production needs to increase to 134% of the required level of care instantaneously. Considering the CMS staffing shortages and the production of the dental staff in place, achieving contractual compliance is a mathematical impossibility.

In 1998, Dr. William H. Thompson, the Director of Dental Services for the NJDOC, approved the attachment of CDA's Monthly Report to the CMS New Jersey Regional Data and NJDOC HS-03 to maintain compliance with N.J.A.C. 10A:16-3.21. He also requested the following information be included in the CMS New Jersey Regional Data Forms. CMS never made the requested adjustment on the New Jersey Regional Data Forms. This required information is extremely important when evaluating levels of care and contractual compliance in the absence of the comprehensive CDA Monthly Report, specifically total patient visits.

Patient Appointments  
Patient Visits  
Total No Shows

Dental Sick Calls  
Initial Exams  
Annual Recalls

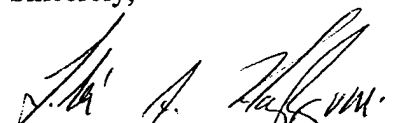
Recall No Shows  
Complaints  
Resolutions

As presented to Director Naiman on June 14, 2005, CDA maintained over 98% contractual compliance by averaging 6,469 required patient visits, extracting an average of 1,037 teeth, restoring an average of 1,180 surfaces and inserting an average of 149 dentures per month in 2004. The 2004 CDA Statewide Average Monthly Report lists each statistic by procedure.

It is apparent the CMS New Jersey Regional Data are not inclusive of the dental amount information N.J.A.C. 10A:16-3.21 requires to be provided to the Assistant Commissioner, Division of Operations, the Correctional Facility Administrators and the NJDOC Director of Dental Services. The total patient visit information is critical to any administrative evaluation of contractual compliance. However, in the absence of the required statistical information and when compared to the 2004 averages and the 2005 requirements, the institutional inmate movement sheets will easily demonstrate the deficient patient visit numbers.

I look forward to meeting with you at your earliest convenience to discuss this issue.

Sincerely,

  
Leslie A. Hayling, Jr., D.D.S.  
Correctional Dental Associates

Cc: Devon Brown, Commissioner, New Jersey Department of Corrections  
Charles Ellis, Chief of Staff, New Jersey Department of Corrections