

FOR IMMEDIATE RELEASE**Contact:** Kate Burkhart, 907-465-4970, kate.burkhart@akleg.gov**OMBUDSMAN INVESTIGATES DELAYED DENTAL CARE AT DOC**

February 25, 2021 JUNEAU — Alaska State Ombudsman, Kate Burkhart, has released a report of a recent investigation of the Dental Services Program at the Alaska Department of Corrections (DOC). The Ombudsman found that DOC unreasonably delayed providing necessary care for an inmate's abscessed tooth. This is an example of a systemic issue that exists across state prisons and jails.

In July 2019, the Ombudsman received a complaint from an inmate at Lemon Creek Correctional Center (LCCC) alleging that DOC was not providing him with adequate or timely dental treatment. The inmate explained that the abscessed tooth had been causing him discomfort and severe pain for several weeks. Ombudsman staff investigated the complaint, and reviewed documents provided by the complainant, the complainant's medical records, and governing statutes, regulations, and DOC policy. They also interviewed the complainant and DOC staff.

The complainant asked to see a dentist about his abscessed tooth several times. He presented multiple times with pain, infection, swelling, and other symptoms related to the dental problem. Despite this, he was not seen by a DOC dentist – even though dentists were on site at LCCC twice during the months he was asking for treatment. Eight weeks after the initial request for dental care, DOC arranged for the complainant to see a community provider to have the tooth removed.

Evidence reviewed during the investigation showed that DOC did not meet its obligation to provide the complainant with timely access to necessary dental health care services and failed to meet the service delivery standards established in departmental policies for the treatment of painful and emergent dental conditions. On a broader scale, this investigation showed that there are systemic deficiencies in DOC's Dental Services Program preventing the agency from providing adequate dental health care services across all state prisons and jails. The evidence showed that DOC's delays in providing the complainant's necessary dental treatment were not deliberate or in bad faith. Rather, these delays were the result of a shortage of DOC dentists and program resources.

Providing dental health care services in the prison environment presents numerous challenges, including the high level of need for dental care among inmates, increased demand due to prison population growth and aging, shortages in dental staff, rising costs, and budgetary constraints. Even so, DOC has a duty to provide timely access to necessary dental health care services and meet the service delivery standards established in policy.

DOC is a critical part of Alaska's health care system, serving thousands of people each year in correctional facilities. The Ombudsman made three initial recommendations to DOC. The first is

that DOC audit the Dental Services Program to identify system deficiencies and gaps. The second is to create an action plan to reduce the number of inmates currently waiting for dental health care services and decrease wait times for treatment. The third recommendation is to revise agency policy to include specific time standards for providing dental health care services, so that DOC's Dental Services Program aligns with community standards of care.

In the course of the investigation, the Ombudsman learned of efforts already being made by DOC to improve inmates' access to dental treatment. As a result of the agency consultation process after the investigation, the Ombudsman developed three additional recommendations, in collaboration with DOC, to ensure that DOC's has sufficient qualified dental professional staff to provide inmates at all its facilities with emergency, urgent, and routine dental services, in a timely manner consistent with community standards of care.

DOC accepted all of the Ombudsman's recommendations. The public report of the investigation, with detailed recommendations, is available at <https://ombud.alaska.gov/case-summaries/>.

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