



Agenda Date: 1/10/2006
Agenda Placement: 6A

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: John Alexander - Acting Director
Corrections
REPORT BY: Edward West, Correctional Corporal, 2598127
SUBJECT: Amend Contract Approved for Prop 69 (DNA) Blood Draws to include 298(b)(3) DNA Blood draws

RECOMMENDATION

Acting Director of Corrections requests approval of and authorization for the Chair to sign Amendment No. 1 to Agreement No. 6535 with Calvin Groeneweg increasing the amount by \$5,000 for a new maximum of \$65,000 to provide blood sample collection services in the jail as required by Penal Code Sections 296 and 298.

EXECUTIVE SUMMARY

This contract provides nurse's services for drawing blood when an inmate refuses to provide a saliva DNA sample. The procedure is required by law.

FISCAL IMPACT

Is there a Fiscal Impact?	Yes
Is it currently budgeted?	No
What is the revenue source?	Funding is available in the Department of Corrections FY 05-06 Final Budget.
Is it Mandatory or Discretionary?	Mandatory
Is the general fund affected?	Yes
Future fiscal impact:	In 2009 the number of inmates qualifying for a Saliva draw will increase due to Proposition 69. It is possible that with the increase in qualified inmates the incidents of refusal could increase and thus the expense related to an increased number of blood draws.
Consequences if not approved:	The County will be out of compliance with Penal Code Sections 296 and 298 (b)(3).

Additional Information: None

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

Penal Code 298.1 requires that an inmate that is refusing to supply a voluntary saliva DNA sample shall provide a blood sample. Our current nursing provider (CFMG) has a policy barring participation in forced blood draws. Calvin Groeneweg is qualified and has a current agreement with Napa County to provide blood draws for DUI cases and has agreed to provide blood collection services to the Department of Corrections for submittal to the Department of Justice DNA Lab pursuant to Penal Code Section 298.1.

HIPAA does not apply to this agreement.

SUPPORTING DOCUMENTS

None

CEO Recommendation: Approve

Reviewed By: Helene Franchi