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Valley Fever and CDCR Housing (April 2019)

Introduction

Valley Fever (sometimes called “cocci”) is an infection caused by a fungus in the soil that can get into the air and then inhaled when people breathe. Valley Fever occurs naturally in the lower (southern) part of California’s central valley and other nearby places. However, most people in those areas do not get infected. Also, most people who get infected with Valley Fever do not get sick or very sick. However, a small percentage of people who get Valley Fever get very sick, and some die. **See information on page 2 – the other side of this page.**

There are nine CDCR prisons, plus a few community correctional facilities that house people serving CDCR sentences, in that part of California where Valley Fever is most common. CDCR policy prohibits housing people with certain medical conditions in these prisons and facilities because those conditions increase the risk of getting very sick or dying if the person catches Valley Fever. **See page 3 for a list of the nine CDCR prisons in the Valley Fever area and the medical conditions that prohibit being housed in those prisons.**

There is an especially high risk of catching and getting very sick or dying from Valley Fever at Avenal State Prison (ASP) and Pleasant Valley State Prison (PVSP). CDCR has even stricter prohibitions on who can be housed at those two prisons, as required by a June 2013 federal court order. CDCR offers a skin test to determine if a person has had Valley Fever before. If the prison hasn’t had it before, they cannot be housed at ASP and PVSP. People with certain medical conditions are also excluded from the two prisons, and certain others are too (although some can agree to go or stay). **See pages 3 through 5 for information about who can and cannot be housed at ASP and PVSP, and information about the cocci skin test.**

If you have symptoms that might be caused by Valley Fever (**see other side of this page**), submit a medical sick call request (CDCR Form 7362) describing the symptoms. If you do not receive adequate treatment file a medical appeal (602-HC), and pursue it to the Headquarters Level. **See page 6 for more information.**

If you believe you face a serious risk of harm from Valley Fever, including because you are housed in a prison in the Valley Fever area, you should ask for a transfer and if necessary submit a Form 22 and then an administrative appeal (602) asking for a transfer. **See page 6 for more information.**

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Basic Information about Valley Fever

Valley Fever is a disease caused by a fungus that lives in the soil in certain parts of the world, including the southern part of California's central valley. The fungus takes the form of tiny spores (so tiny they cannot be seen) in the dirt.

When dirt and dust that has the fungus get disturbed and/or are blown into the air, and people then breathe in the fungus spores, an infection can start in the lungs. The medical name for Valley Fever is coccidioidomycosis or cocci.

Valley Fever is not contagious from person to person. You cannot catch it from another person. To repeat, a person becomes infected by breathing tiny spores of fungus that live in the dirt and that gets into the air, including when the wind blows. There is no vaccine that will protect people from getting Valley Fever.

Most people who live, work, travel in, or are in prison in the southern part of California's central valley do not get infected with Valley Fever at all. It is not known why some people get infected and some do not.

In addition, most people who get infected with Valley Fever do not get sick at all, or get only mildly sick. These people will have no symptoms at all or simply feel like they have a cold or a few days of flu (cough, fever, aches, tiredness), and may not require any treatment at all.

If you have symptoms, put in a sick call request (CDCR Form 7362) and ask to see a doctor. Of course, tell any staff member immediately if you have an emergency or urgent medical care problem.

Approximately ten percent of people infected with Valley Fever get very sick. Among this ten percent, some develop what is called disseminated Valley Fever, which means the infection travels from the lungs to other places in the body including the skin, joints, bones, other organs, and brain. Generally, those who get very sick from Valley Fever have major health problems that can last for years, and some die from the disease.

Some people who get infected with Valley Fever have a higher risk of getting very sick from it. These include people with weakened immune systems. There is also a higher risk of getting very sick if you are of African or Filipino descent, or a woman in the last months of pregnancy.

Treatment for Valley Fever depends on many factors. As stated above, some people need no treatment because the infection does not cause any problems or only mild symptoms that go away on their own. In other cases, anti-fungal medication is prescribed and controls the disease. In the most serious cases, surgery and hospitalization is necessary, and the disease can cause death.

Most people who get Valley Fever have a life-long immunity from getting another Valley Fever infection. However, the disease can be reactivated or if your immune system is significantly weakened you can be reinfected.

*[please see next page for information about
Valley Fever and CDCR Prison Placements / Transfers]*

CDCR Prisons and Valley Fever

1.

The Nine Prisons in the Valley Fever Area and the CDCR policy prohibiting certain prisoners from all those prisons

Nine CDCR prisons – Avenal, CCI, CMC, Corcoran, KVSP, NKSP, Pleasant Valley, SATF, and Wasco – are located in the geographic area where Valley Fever is most common. There are also community correctional facilities near some of these prisons that house CDCR prisoners. CDCR policy prohibits housing people in these prisons and facilities if they have certain medical conditions and have not previously had Valley Fever, because these people face a serious risk of getting very sick or dying if they catch Valley Fever. **The medical conditions which prohibit being housed in all Valley Fever area prisons are: (1) HIV, (2) history of lymphoma, (3) a transplanted organ, (4) chronic immunosuppressive therapy (for example, medication received for severe rheumatoid arthritis), (5) moderate to severe Chronic Obstructive Pulmonary Disease (COPD) requiring ongoing oxygen therapy, (6) cancer with chemotherapy; and (7) pregnancy.** A person with any of these conditions – it is called a “Cocci 1” restriction – should usually be transferred out of the nine-prison area within 60 days of being identified.

2.

Special Prohibitions related to Valley Fever at Avenal State Prison (ASP) and Pleasant Valley State Prison (PVSP)

People get Valley Fever much more often at Avenal State Prison (ASP) and Pleasant Valley State Prison (PVSP) than at the other prisons. Also, people at those two prisons have gotten very sick and even died from Valley Fever more often than at the other prisons. Also, some types of people (for example, African-Americans, Filipinos, those designated “medical high risk,” and those who have diabetes) have gotten very sick from Valley Fever far more often than others. Because of the special risks from Valley Fever at ASP and PVSP, in June 2013 the federal court in the *Plata* case ordered CDCR to not house certain prisoners at those two prisons.

In addition, in 2014 the federal government’s Center for Disease Control (CDC) recommended that a Valley Fever/cocci skin test be given to all people who are or could be housed at ASP and PVSP, to find out which prisoners have never been infected by Valley Fever, and that CDCR should exclude from those two prisons all people who the skin test shows have never had Valley Fever. This was recommended because the risk from Valley Fever is much higher in those who have never been infected compared to those who have had the disease, and the skin test is the best way to find out who has never been infected.

CDCR implemented the federal recommendations in 2015, and currently offers a cocci skin test to most all people in prison. Those who test negative (have never had Valley Fever) are prohibited from being housed at ASP or PVSP.

(Information continues on other side of page)

Valley Fever and Placement at Avenal (ASP) and Pleasant Valley (PVSP)

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The cocci skin test is offered to all new arrivals to CDCR Reception Centers, and has been done so since January 2015. All those who arrived to CDCR before January 2015 were offered the cocci skin test in 2015, unless they had a medical condition or other circumstance that already prohibits their placement at ASP and PVSP (people designated medical “high risk,” re immuno-compromised, women prisoners, and the condemned). The cocci skin test is voluntary, but if refused it can impact whether you are medically restricted from placement at ASP and PVSP based on the risk from Valley Fever.

Under CDCR medical policy, people who take the cocci skin test and have a negative result are prohibited from placement at ASP or PVSP. A negative skin test means the prisoner has never had Valley Fever. For those who have never had the disease, there is too great a risk of getting Valley Fever or getting very sick from it at those two prisons, and so they cannot go there. For the same reason, the new policy also prohibits certain other prisoners from ASP and PVSP: those designated medical high-risk or immuno-compromised (they are not even offered a skin test), and those who are African-American, Filipino, or have diabetes and refused the cocci skin test.

In contrast, CDCR medical policy provides that people who have a positive cocci skin test are medically eligible for placement at ASP and PVSP. A positive result means the person already has Valley Fever. For these people, the federal government CDC and CDCR say there is relatively little risk from Valley Fever if housed at the two prisons.

In addition, the CDCR medical policy provides that prisoners who refuse the cocci skin test are medically eligible for placement at ASP and PVSP, except for African-Americans, Filipinos, or those who have diabetes. Except for the named exceptions, a refusal results in being medically eligible for the two prisons because by refusing the skin test, the person is considered to have waived the right not to be placed in the two prisons if they test negative. Prison medical officials have said that a prisoner who refuses a cocci skin test can change his mind at any time, and ask to get it.

African-Americans, Filipinos, or those who have diabetes are offered the cocci skin test but if they refuse are still medically prohibited from ASP and PVSP. This is because the June 2013 Plata court order found that such people have an especially great risk from Valley Fever at the two prisons and prohibits them from being housed there unless they already have Valley Fever. Although these prisoners’ refusal of the cocci skin test does not change their medical restriction from ASP and PVSP, they can waive that restriction and go to or stay at ASP and PVSP, if policy does not otherwise prohibit that housing (as it would if they are designated medical “high risk” or are immuno-compromised, and have not had Valley Fever.)

On the other hand, if an African-American, Filipino, or diabetic is offered a cocci skin test and takes it, the results will determine whether placement is prohibited at ASP and PVSP. If the cocci skin test result is negative, the prisoner is medically restricted from placement at the two prisons, and no waiver is possible. If the cocci skin test result is positive, there is no medical restriction on placement at the prisons, because the positive result shows that the prisoner already has Valley Fever.

(Information continues on next page)

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Valley Fever and Placement at Avenal (ASP) and Pleasant Valley (PVSP)

(continued from page 4)

In summary, CDCR's medical policy **PROHIBITS** placement at ASP or PVSP if a person has **any** of the following factors:

- (1) offered and taken a cocci skin test, with a negative result (meaning no previous Valley Fever infection) designated “medical high risk” on a CDCR 128-C3 chrono;**
- (2) diagnosed with any of the medical conditions, listed in the first paragraph on page 3, that prohibit housing at any of the nine Valley Fever area prisons, unless known to have previously had Valley Fever;**
- (3) designated medical “high risk”; or**
- (4) is African-American, Filipino, or has diabetes, unless such prisoner either (a) was previously known to have had Valley Fever; (b) agreed take a cocci skin test and tested positive, or (c) refused the cocci skin test and signed a medical waiver agreeing to stay at or go to ASP or PVSP.**

People with any of these factors are said to have a “Cocci 2” restriction and cannot be housed at ASP or PVSP. Any person at ASP or PVSP identified with such a factor should usually be transferred to another prison within 60 days of the date a doctor documents the factor.

On the other hand, CDCR's medical policy **PERMITS** placement at ASP or PVSP if a person has **one of the following factors**:

- (1) offered and took a cocci skin test and had a positive result (meaning they have had Valley Fever before and thus face a much lower risk from the disease if housed at the two prisons);**
- (2) offered a cocci skin test and refused (except for African Americans, Filipinos, or diabetics who have not had Valley Fever before); or**
- (3) African American, Filipino, or a diabetic who was offered cocci skin test, refused, and signed a medical waiver agreeing to stay at or go to ASP or PVSP.**

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The CDCR medical policy summarized above is designed to reduce the risk from Valley Fever to prisoners, especially at ASP and PVSP, based on the federal government's recommendations and the June 2013 federal court order in Plata. However, Valley Fever still exists at all nine prisons in the Valley Fever area, including ASP and PVSP.

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(Please see the other side of this page for advice regarding Valley Fever issues)

Valley Fever and CDCR – Advice

If you have symptoms that might be Valley Fever, submit a sick call request (CDCR Form 7362) that describes the symptoms, so that medical staff can evaluate you. Tell any staff member at any time if you have an emergency or urgent medical problem. If you do not receive timely and adequate care you should file a medical appeal (602-HC). If your medical appeal is denied, you should re-file it too the Headquarters Level. You can send the Prison Law Office any Headquarters Response to a medical appeal, and we will consider whether we can help under the *Plata* case. You can write to us at any time if you have an urgent medical care problem, and we will consider if we can help.

If you are at one of the nine CDCR prisons in the Valley Fever area, including ASP and PVSP, and medical policy as described above prohibits you from being at your prison, you should make sure that medical staff has documented the condition or factor which requires your transfer. CDCR has 60 days to transfer you once the medical or other factor requiring a Valley Fever transfer is documented. If this does not happen, talk to your correctional counselor, submit a Form 22, and file an emergency administrative appeal (602) asking for a transfer. You can also write us here at Prison Law Office; if you write us please be as specific as possible and include any documents you have. We will consider whether we can help you under the *Plata* case. Whether you write us or not, if your administrative appeal is denied, you should re-file it until you get a final level response.

If you are put up for transfer to a Valley Fever area prison, including ASP and PVSP, and medical policy as described above prohibits you from being at the prison to which you will be transferred, you should talk to medical staff, talk to your correctional counselor, submit a Form 22, and file an emergency administrative appeal (602) to stop the transfer. You can also write us here at Prison Law Office; if you write us please be as specific as possible and include any documents you have. We will consider whether we can help you under the *Plata* case. Whether you write us or not, if your administrative appeal is denied, you should re-file it until you get a final level response.

Finally, if you do not meet the current criteria that restricts placement at certain prisons based on Valley Fever risk, but believe you face a serious risk of harm from Valley Fever and should not be housed in or transferred to a particular prison, you should talk to medical staff, talk to your correctional counselor, submit a Form 22, and file an administrative appeal (602) asking to be transferred (or not transferred). If the administrative appeal is denied, you should file it until you get a final level response. You can send the final level response and appeal package to the Prison Law Office. If you do, we will consider whether we can help you under the *Plata* case. whether we can help you under the *Plata* case.

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