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			<b>OPI:</b>	Medical Management	
			<b>REVIEW DATE:</b>	August 26, 2014	
			<b>Approving Authority</b>	Thomas Faust Director	
<b>SUBJECT:</b>		<b>MEDICAL MANAGEMENT</b>			
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**SUMMARY OF CHANGES:**

<b>Section</b>	<b>Change</b>
Changes	<i>Major revisions to the policy.</i>

**APPROVED:**



**Thomas Faust, Director**

8/26/2013

**Date Signed**

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1. **PURPOSE AND SCOPE.** To establish a policy for oversight and general operational procedures for health care delivery that is appropriate, necessary, and adequate for inmates housed in the Department of Corrections (DOC) and its contract facilities.
  
2. **POLICY**
  - a. To ensure that inmates have unimpeded access to continuity of health care services from admission to transfer or discharge, including referral to community-based providers when indicated, so that their health care needs, including prevention and health education, are met in a timely and efficient manner.
  
  - b. Health care includes services that are determined to be medically appropriate, necessary and adequate for the diagnosis or treatment of illness or injury, or to improve the functioning of an individual's body. Experimental medical care shall not be conducted on inmates.
  
  - c. Inmates are not required to make medical co-payments while confined at the Central Detention Facility (CDF) and Correctional Treatment Facility (CTF).
  
  - d. The DOC Medical Director is the designated Responsible Health Authority for the DC Department of Corrections.
  
  - e. Health care shall be provided in accordance with legal requirements imposed by Federal and DC laws, DC licensing or professional boards, court orders, DOC administrative policies and procedures, and guidelines established by the American Medical Association (AMA), the Health Resources and Services Administration (HRSA) of the US Department of Health and Human Services (DHHS), applicable American Correctional Association (ACA) Standards, the National Commission on Correctional Health Care (NCCCHC), the Addiction Prevention and Recovery Administration (APRA), and Substance Abuse and Mental Health Services Administration (SAMHSA), Prison Rape Elimination Act (PREA) and the Health Information Protection Accountability Act (HIPAA).
  
3. **APPLICABILITY.** This policy applies to DOC employees, all contractors, including the medical contractor, volunteers, trainees, and other persons who are authorized to perform work for or on behalf of the DOC. This also applies to inmates confined at the CDF and CTF.

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4. **ANNUAL PROGRAM AND DIRECTIVES CERTIFICATION.** The DOC Health Services Administrator in conjunction with the medical contractor and DOC and CCA managers shall on at least an annual basis review and update or recertify this directive.
5. **REQUIREMENTS.** A health services contractor provides direct medical services to inmates at the Central Detention Facility (CDF) and at the Correctional Treatment Facility (CTF).
  - a. The DOC shall provide contract administration and DOC Office of Health Services Administration (OHSA) shall provide oversight of any contract for health care services provided at the CDF and CTF.
  - b. The CDF and CTF Wardens and Administrators shall provide correctional security, custody, other applicable administrative support such as space, equipment, furniture, cleaning and pest control.
6. **PROGRAM OBJECTIVES.** The expected results of this program will be:
  - a. To establish guidelines for the delivery and oversight of health care services.
  - b. To ensure that DOC inmates receive efficient and effective health care services.
  - c. To ensure that health care services comply with federal standards, District laws, ACA and NCCHC standards and contract obligations.
7. **NOTICE OF NON-DISCRIMINATION**
  - a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (Act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intra-family offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.
8. **DIRECTIVES AFFECTED**

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a. **Directives Rescinded**

1) PS 6000.1            *Medical Management (1/25/12)*

b. **Directives Referenced**

1) PS 1280.2            *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*

2) PS 1300.1            *Freedom of Information Act (FOIA)*

3) PS 1300.3            *Health Information Privacy*

4) PP 1311.1            *Research Activity*

5) PS 2920.3            *Control of Hazardous and Non-Hazardous Chemicals*

6) PS 2920.4            *Inspections and Abatement Program*

7) PS 2920.8            *Environmental Safety and Sanitation Inspections*

8) PS 2921.2            *Reporting Employee Accidents and On-the-Job Injuries*

9) PP 3550.2            *Elimination of Sexual Abuse, Assault and Misconduct*

10) PP 3700.2            *Employee Training and Staff Development*

11) PP 3800.3            *ADA: Communications for Deaf and Hard of Hearing*

12) PS 4352.1            *Inmate/Offender Deaths*

13) PS 4910.1            *Escorted Trips*

14) PP 5008.1            *Security Management*

15) PS 5031.1            *CDF Emergency Plan*

16) PS 6050.1            *Tuberculosis Control Program*

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- 17) PS 6050.3      *Residential Substance Abuse Treatment Program (RSAT)*
- 18) PS 6080.2      *Suicide Prevention and Intervention*
- 19) PP 6060.1      *Smoke/Tobacco Free Environment*

## 9. AUTHORITY

- a. D.C. Code § 24-211.02      Powers; promulgation of rules
- b. D.C. Code § 21-2201, et seq., Health Care Decisions
- c. 45 C.F.R. 164.501 et seq., Health Insurance Portability and Accountability Act of 1996 (HIPAA)
- d. 5 U.S.C. 552a, Federal Privacy Act
- e. D.C. Code § 7-101, et seq., HIV Testing of Certain Criminal Offenders
- f. D.C. Code § 14-307, Physicians and Mental Health Professionals
- g. D.C. Code § 22-3901 et seq., HIV Testing of Certain Criminal Offenders
- h. 42 C.F.R. 8.12, Federal Opioid Treatment Standards
- i. Public Law 108-79, Prison Rape Elimination Act of 2003
- j. Memorandum of Understanding between the Department of Corrections and the Patients for Emergency Medical/Surgical Care Purposes dated 12/1/08
- k. D.C. Code § 7-1231.01, et seq., Mental Health Consumers' Rights Protection
- l. District of Columbia Superior Court Rules of Procedure for Mental Health Rule 10, Commitment of Prisoners to Mental Institutions.
- m. Women Prisoners of the District of Columbia Department of Corrections, et al. v. District of Columbia, et al; 968 F. Supp. 744 (D.D.C. 1997)

## 10. STANDARDS REFERENCED

- a. American Correctional Association (ACA) 4<sup>th</sup> Edition, Standards For Adult Local Detention Facilities: 4-ALDF-4C-02, 4-ALDF-4C-17, 4-ALDF-4C-22, 4-ALDF-27, 4-ALDF-4C-30, 4-ALDF-4C-41, 4-ALDF-4D-01, 4-ALDF-4D-02, 4-ALDF-4-08, 4-ALDF-4D-22-6,4-ALDF-4D-09, 4-ALDF-4D-14, 4-ALDF-4D-15,

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4-ALDF-4D-21, 4-ALDF-4D-22-4, 4-ALDF-4D-25, 4-ALDF-4D-27, 4-ALDF-6A-09, 4-ALDF-7D-18, 4-ALDF-7D-25 and 4-ALDF-7D-26.

- b. National Commission on Correctional Health Care (NCCHC) Standards for Health Services in Jails.
- c. D.C. Department of Health, Addiction Prevention and Recovery Administration (APRA) DC Municipal Regulations Chapter 23 titled "Certification Standards for Substance Abuse Treatment Facilities and Programs".

#### Attachments

Attachment 1- Sick Call Request Form

Attachment 2- Unity Health Care Policy #CF902, Emergency Psychotropic Medication Administration

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## CHAPTER 1

### OVERVIEW

#### 1. MEDICAL CARE DELIVERY SYSTEM

- a. The provision of health care is a joint effort of DOC Administrators and staff, DOC contracted correctional care providers, and contracted medical providers. The medical contractor arranges for the availability of health care services; the responsible clinician determines what services are needed; and the official responsible for the correctional facilities provides the administrative support for making the services accessible to inmates.
- b. DOC contracts with a private medical contractor for delivery of health care services to include: responsibility for on-site primary and emergency medical, dental and mental health care services, inpatient, outpatient and ambulatory care services, pharmaceuticals, and medical supplies for inmates housed at the CDF and CTF.
- c. Health care shall be provided in accordance with legal requirements imposed by Federal and DC laws, DC licensing or professional boards, court orders, DOC administrative policies and procedures, and guidelines established by the American Medical Association (AMA), the Health Resources and Services Administration (HRSA) of the US Department of Health and Human Services (DHHS), applicable American Correctional Association (ACA) Standards, the National Commission on Correctional Health Care (NCCHC), the Addiction Prevention and Recovery Administration (APRA), and Substance Abuse and Mental Health Services Administration (SAMHSA) .
- d. The medical contractor shall provide and be responsible for all inpatient and outpatient hospital and ambulatory costs for all inmates in the custody of the DOC.
- e. DOC and CCA/CTF provide custody and security for inmates housed within their respective facilities.
- f. DOC provides custody and security in hospitals when inmates from CDF, CTF and community residential programs (CCC) are admitted.
- g. CDF and CTF have acute mental health housing, safe cells and chronic mental health housing to serve inmates in the DOC.

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## 2. ACCESS TO CARE

- a. Inmates shall be informed about how to access health services and the grievance system during the admission/intake process.
- b. Information shall be provided to inmates during the admission/intake process about sexual abuse and sexual assault to include identification, prevention/intervention, self protection, how to report sexual abuse/assault, and available treatment and counseling.
- c. There is no smoking inside the CDF. All medical staff and inmates shall follow guidelines set forth in DOC PP 6060.1, *Smoke/Tobacco Free Environment*.
- d. All of the above information is communicated orally and in writing, and is conveyed in a language that is easily understood by each inmate. The information is translated into those languages spoken by significant numbers of inmates.
- e. Interpretation services via staff, contracted interpreters or use of language line services shall be available to inmates that have limited understanding or who do not speak sufficient English in order to communicate with health care providers.
- f. Sign language interpreter services shall be made available to inmate who are deaf and hard of hearing.
- g. Health care professionals shall, on a daily basis, triage inmate requests for health services and schedule clinical services based upon the established priority. The triage system addresses routine, urgent and emergent complaints and conditions.
- h. Inmates are not precluded from individual treatment based upon their need for a specific medical procedure that is not generally available from the DOC medical contractor. In such situations DOC and the medical contractor shall arrange for such treatment, if medically necessary.

## 3. PROVISION OF TREATMENT

- a. The DOC Medical Director is the designated Responsible Health Authority for the DC Department of Corrections.
- b. The Medical Director is responsible for the day-to-day delivery of health care

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services in all departments, and will arrange for and monitor the level of services provided to the inmate population.

- c. Clinical decisions are to be made solely by the medical contractor's responsible clinicians and cannot be countermanded by non-clinicians.
- d. Non-medical staff have no authority to approve or disapprove an inmate's request for health care services.

#### 4. **CONFIDENTIALITY**

- a. Information about an inmate's health status is confidential.
- b. The medical contractor may share with the DOC Health Services Administrator and, when appropriate, with the Warden, information regarding an inmate's medical management.
- c. DOC and the medical contractor shall both maintain written procedures regarding medical privacy and ensure that staff are notified that:
  - 1) Only information necessary to preserve the health and safety of an inmate, other inmates, volunteers, visitors, or the correctional staff is provided.
  - 2) Information provided to correctional staff, classification staff, volunteers, and visitors shall address only medical, mental health and related factors that may assist DOC in providing the inmate with appropriate housing, treatment, programs, security and transport.

#### 5. **EMERGENCY RESPONSE**

- a. Correctional and health care personnel shall respond to emergency health-related situations within a four-minute response time. Responsibilities and procedures for such situations are outlined in Chapter 4 Section 18 "Emergency/Urgent Medical Care for Inmates" for of this directive.

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- b. The medical contractor shall participate in, and assist in the development of, procedures pertaining to the delivery of comprehensive health care in the event of a disaster (fire, storm, epidemic, riot, strike or mass arrests). The medical disaster plan shall include the following: the implementation of a communications system, recall of key staff, health care staff assignments, establishing a command post, safety and security of patient and work areas, use of emergency equipment and supplies, establishing a triage area and triage procedures, ambulance services, transferring the injured to outside hospitals, evacuation procedures and practice of CPR and fire drills.

## 6. QUALITY ASSURANCE

### a. Contract Administration—DOC

- 1) Under the auspices of the DC Office of Contracts and Procurement, the DOC Health Services Administrator has oversight to ensure that the health care contractor provides medical, dental and mental health services at the CDF and CTF in accordance with federal law, local regulations, NCCHC standards, ACA standards, the contractual agreement and applicable policies and programs of each entity.
- 2) The DOC Health Services Administrator shall conduct regular program review of the health care delivery system to determine if the provider remains in compliance with the delivery of health care services pursuant to the contractual agreement and this directive.
- 3) Fiscal review of the delivery of health services shall be conducted at least annually by the DC Office of Contracts and Procurement.
- 4) The DOC Health Services Administrator, in conjunction with the medical contractor, will participate in a multidisciplinary quality improvement program in order to collect and evaluate data and ensure adequate provision of services.
- 5) DOC shall maintain a system for facilitating resolution of inmate grievances relating to health care.
- 6) DOC shall maintain a system for monitoring complaints and inquiries made on behalf of inmates and shall facilitate appropriate resolution.

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- 7) The medical contractor, DOC Health Services Administration, and CDF and CTF Security Officials shall periodically meet to address the effectiveness of the health care system, areas that require improvement and recommendations for corrective action.
- 8) Should the medical contractor fail to maintain required staffing, refuse or neglect to supply adequate and competent supervision or personnel, fail to provide equipment/drugs of the proper quality or quantity, fail to perform the contracted service requirements with promptness and diligence, or fail to meet contractual requirements, DOC Health Services Administration shall take appropriate measures to ensure continuity of health care and impose appropriate sanctions, in coordination with the Office of Contracts and Procurement.

**b. Health Services Provider**

**1) Quality Assurance**

- a) Pursuant to standards for medical care provision and applicable ACA and NCCHC standards, the medical contractor shall develop a quality management program and implement a system of documented monthly and quarterly internal reviews to evaluate the quality of care and performance, investigate complaints, and monitor corrective action plans.
- b) The health services provider and DOC shall meet at least once every three months to review issues surrounding comprehensive health care services, including utilization, projections, and other components for coordination of quality health care.

**Peer Reviews.** The DOC shall provide an external peer review program for physicians, mental health professionals, and dentists. The review shall be conducted at least every 2 years. Management of the medical contractor will determine appropriate action in response to a peer review which may include initiation of an investigation and peer review, using a panel of independent physicians to review the practice and patterns of the physician on whom the complaint was made.

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## 7. MEDICAL RESEARCH

- a. Inmates shall not be used for medical, pharmaceutical, or cosmetic experiments.
- b. Inmates are not precluded from individual treatment based on their need for a specific medical procedure that is not generally available from the DOC medical contractor. Rules of informed consent shall apply.
- c. All medical research requests shall follow guidelines set forth in DOC PP 1311.1, *Research Activity*.

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## CHAPTER 2

### DC DEPARTMENT OF CORRECTIONS ADMINISTRATIVE RESPONSIBILITIES

1. **WARDENS.** The Wardens of the Central Detention Facility (CDF) and Correctional Treatment Facility (CTF) shall ensure that correctional supervision and appropriate administrative support are provided to health care staff in accordance with this directive.
  
2. **SUPPORT SERVICES**
  - a. DOC shall conduct background checks and drug test all impending personnel that the medical contractor recruits to provide medical services at the CDF and CTF. The background check and drug testing shall be a prerequisite for initial and continued access/entrance to the CDF and CTF, and the final selection of all personnel may be subject to the approval of the CA.
  - b. DOC and CCA/CTF shall supply and provide maintenance for offices, communications systems, technology systems, and medical equipment pursuant to the contractual agreement and shall provide adequate space for administrative staff, clinic space, and professional and clerical staff.
  
3. **SECURITY.** DOC and CCA/CTF staff shall provide appropriate custody and supervision of all inmates while they are engaged in receiving health care to include:
  - a. Employees shall ensure that inmates have unimpeded access to medical services in accordance with this directive.
  - b. Administration and correctional officers shall ensure that health care professionals are not impeded from carrying out their health care responsibilities.
  - c. Uniform correctional officers shall provide security supervision or escort for inmates as they travel to or from the medical unit in a timely manner.
  - d. DOC shall provide transportation for inmates to non-emergency medical treatment outside of the facilities in accordance with guidelines set forth in DOC PS 4910.1, *Escorted Trips*.
  - e. DOC shall provide the security personnel when inmates are admitted to a

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hospital Locked-Ward or to an “outpost” location for inpatient management.

- f. When ordered by the court, DOC shall provide outpost security and custody when sentenced inmates and pretrial criminal defendants who are housed at Saint Elizabeth’s Hospital (SEH) require admission at a hospital outside of the SEH grounds.
  - g. Upon authorization from a qualified medical or mental health professional that less restraining measures are not successful, DOC will provide specialized restraint equipment and required correctional supervision for inmates who are under close observation or intensive monitoring.
4. **ENVIRONMENTAL SAFETY AND SANITATION.** The DOC and CCA/CTF shall ensure that facilities comply with federal and local applicable environmental, health, safety, sanitation and fire safety codes and regulations. In addition, the DOC and CCA/CTF shall:
- a. Provide sufficient services and supplies so that inmates’ personal hygiene needs are met.
  - b. Ensure that medical housing units and infirmaries shall have sufficient wash basins, bathing facilities and toilets that are accessible 24 hours per day.
  - c. Provide for general cleaning to support environmental safety and sanitation through the use of inmate labor.
  - d. Clean up infectious spills in accordance with P.S. 2920.8, *Environmental Safety and Sanitation Inspections*.
  - e. Provide environmental services for pest control.
  - f. Ensure kitchen, dining and food storage areas are kept clean and sanitary for preparing and serving meals. Food handlers shall follow hygienic practices.
5. **DOC PRIVACY OFFICER.** Under the auspices of the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and pursuant to DC regulations and DOC policies and procedures, the DOC Privacy Officer has oversight and monitoring responsibility for the use and disclosure of protected health information that is maintained by the medical contractor.

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## 6. DOC PROVIDED TRAINING

- a. The DOC Training Administrator shall ensure that all contracted medical staff and support employees receive correctional orientation and annual refresher training pursuant to PP 3700.2, *Employee Training and Staff Development*.
- b. At a minimum each affected employee will receive training in Health Information Privacy under the Health Information Portability and Accountability Act (HIPAA), Sexual Harassment Against Employees, Sexual Misconduct Against Inmates, Appropriate Employee Attire, Fire Safety, Environmental Safety and Sanitation, Professional Inmate-Employee Relationships, Inmate Con Games, Key Control, Tool Control, and Inmate Accountability.
- c. The CDF Warden shall provide and document training to inmates who are assigned to the environmental squad in safety precautions and methods for the cleanup of infectious waste spills and proper disposal of bio-hazardous materials.

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## CHAPTER 3

### HEALTH CARE PROVIDER MEDICAL CONTRACTOR ADMINISTRATIVE RESPONSIBILITIES

1. **HEALTH MEDICAL CONTRACTOR.** The Contractor's Health Services Administrator shall ensure that health care is administered, managed, coordinated and provided to inmates pursuant to federal and local law(s), AMA, ACA, NCCHC standards, the contractual agreement, the contractor's policies and procedures, this directive and other applicable DOC policies and procedures.
2. **ACCREDITATION.** The medical contractor shall maintain ACA and NCCHC accreditation status pursuant to the contractual agreement.
3. **POLICIES AND PROCEDURES.** The medical contractor shall maintain a manual of written policies and procedures regarding health care services at each facility that addresses federal and local laws and regulations, contractual requirements and each applicable ACA and NCCHC standard.
4. **PERSONNEL.** The Contract Health Services Administrator shall ensure that health services is staffed in accordance with the contractual agreement and scope of services and that all personnel are:
  - a. **Qualified.** Health care services shall be provided by qualified health care personnel whose duties and responsibilities are governed by written job descriptions that are on file in the facility and are approved by DOC's Health Services Administrator.
  - b. **Credentialed.** All medical staff shall comply with applicable federal and local licensure, certification and registration requirements. Verification of current credentials and job descriptions shall be kept on file in the facility.
  - c. **Students and or Interns.** No students, interns or residents shall be used to deliver health care in the facility without the DOC's approval.
  - d. **Inmate Assistants.** No inmates may perform peer support and education, hospice activities, assist impaired inmates on a one-on-one basis with activities for daily living, or serve as a suicide companion.
  - e. **Discipline.** The DOC Contract Administrator reserves the right to remove or require the immediate removal of any health care personnel from DOC facilities upon written notice to the medical contractor of dissatisfaction with the employee's performance.

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f. **Security.** The contractor and its personnel are subject to and shall comply with all security regulations of the DOC and/or CCA/CTF correctional procedures. Violations of these regulations may result in the employee being denied access to the facilities. In this event, the medical contractor shall provide alternate personnel to supply contracted services.

## 5. **CONTRACTOR PROVIDED TRAINING**

- a. The medical contractor shall provide training for its personnel in accordance with the contractual agreement and its personnel manual.
- b. The medical contractor shall provide the following training for DOC employees:
  - 1) *Suicide Prevention Training* (8 hours) for uniform correctional personnel assigned to the CCA/CTF Mental Health Units.
  - 2) *Annual mental health training* (40 hours) for uniform correctional personnel assigned to the CCA/CTF Mental Health Units.
  - 3) *Medical emergency response training*, in cooperation with the Warden, to include instruction on recognizing signs and symptoms of medical and mental health issues, emergency response, suicide prevention/intervention, acute chemical intoxication and withdrawal, administration of basic first aid, patient transport and infection control.

6. **EQUIPMENT AND SUPPLIES.** The medical contractor shall provide all material and supplies for health care delivery, office supplies, telephone services for medical staff, and environmentally friendly medical cleaning supplies. The medical contractor shall provide maintenance, repair or replacement of government-furnished medical, dental and mental health equipment, including maintaining service contracts. Such equipment includes but is not limited to electrical tables, x-ray machines, electrocardiogram equipment, and equipment utilized in administrative functions, such as photocopiers and typewriters.

7. **BIOHAZARDOUS WASTE COLLECTION AND DISPOSAL.** The medical contractor shall be responsible for collection and disposal of all bio hazardous waste at the CDF/CTF in accordance with Federal, District of Columbia and DOC requirements.

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## CHAPTER 4

### PROCEDURES FOR PROVISION OF A CONTINUUM OF HEALTH CARE SERVICES

#### 1. MEDICAL INTAKE PROCESSING

- a. Medical, dental and mental health intake shall be performed and documented by licensed and credentialed contract health care personnel upon the inmate's commitment. The medical intake process shall be completed prior to an inmate's placement into the general population, a special housing unit or employment in food services.
- b. Medical Intake processing shall include:
  - 1) A medial history and physical examination which includes a mental health screening,
  - 2) Mental Health Evaluation, if indicated,
  - 3) Testing for Communicable Diseases,
  - 4) HIV Counseling and Testing,
  - 5) Vital Signs, to include Tuberculosis testing if indicated,
  - 6) Peak flow- Asthmatics/ Finger Stick- Diabetics,
  - 7) Chest X-ray if indicated,
  - 8) Pregnancy Testing (for female inmates under age 65),
  - 9) Labs: RPR, Gonorrhea, Chlamydia,
  - 10) Initial Discharge Treatment Plan,
  - 11) Discharge Planning Intake Visit, and
  - 12) Issuance of pertinent written materials regarding sexually transmitted diseases.

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c. *Medical Hold*

- 1) Medical staff shall counsel inmates who refuse the intake chest x-ray for tuberculosis screening, refuse to provide medical history information, or refuse the physical exam for assessment of a contagious disease such as chicken pox, measles or hepatitis regarding the importance of completing all aspects of the medical intake process. Staff shall inform the inmate of the possibility of placement on medical hold until the evaluation is completed in order to prevent potential harm to him/herself, other inmates or staff.
- 2) A physician shall document and issue written notification to the DOC shift supervisor if the inmate continues refusal.
- 3) The inmate shall be placed in an intake housing unit and contact with other inmates shall be restricted.
- 4) Medical staff shall provide and document daily counseling with the inmate to encourage compliance with needed testing.
- 5) Once the inmate consents to completing the intake assessment or the physician determines that the medical hold is no longer warranted, the physician shall provide written notification to the housing unit and document the release of the inmate from medical hold in the medical record.

d. *Exclusions from Medical Hold*

- 1) Refusal of the HIV Rapid Ora-Quick Counseling and Testing is excluded from the medical hold process.

e. *Sexual Abuse Screening.* Mental Health staff shall screen inmates during intake for potential vulnerabilities to or tendencies toward sexually aggressive behavior.

- 1) Staff shall, when screening the inmate, inquire if the individual has been a victim of or has committed sexual assault in the past.
- 2) Medical and mental health staff shall be observant of other possible indications or any other information that is contained in the medical record or that is obtained from the inmate that might identify potential sexual vulnerabilities or aggressions.

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- 3) Mental Health staff shall assess the need for continued counseling or other appropriate intervention to include offering counseling to the inmate within ten (10) business days of commitment.
- f. *Health Precautions Outreach.* Inmates shall receive prevention education to include but not limited to:
- 1) Health Education. Within 72 hours of commitment inmates shall receive further health precautions education in a group setting. Education shall include but not be limited to:
    - a) Information about risk prevention from HIV/AIDS, Hepatitis and Tuberculosis, and
    - b) How to obtain and properly use male and female condoms and dental dams.
  - 2) Condom Issuance. Inmates may throughout their incarceration obtain condoms from designated staff in the following manner:
    - a) During the intake medical screening and testing process;
    - b) From medical discharge planners during interviews;
    - c) From medical contractors when they are in the housing unit to conduct medical triage or sick call;
    - d) While the inmate is at the infirmary for health care services; and
    - e) At Receiving and Discharge as a part of their release resources package.
  - 3) Confidentiality. Staff shall not record names or other identifying data about inmates who request issuance of condoms.
2. **HEALTH APPRAISAL.** The medical contractor shall ensure that each new inmate and/or transferred inmate placed in the CDF and/or the CTF has, within 24 hours, a completed and documented medical and mental health evaluation or screening in the inmate's medical record.

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3. **PERIODIC EXAMINATIONS.** The medical contractor determines the conditions for periodic health examinations.

4. **MENTAL HEALTH PROGRAM**

a. The medical contractor shall ensure that there are an adequate number of qualified staff members to directly deliver mental health services to inmates.

b. Mental Health services shall include:

- 1) Initial mental health screening of all inmates entering the CDF;
- 2) A comprehensive mental health evaluation;
- 3) Mental health assessments, labs, and diagnostic testing;
- 4) Control, dispensation, and administration of all psychotropic and mental health medication;
- 5) Monitoring medication to ensure inmate compliance and evaluate effectiveness in alleviation of symptoms;
- 6) Suicide prevention intervention and treatment of psychiatric emergencies;
- 7) Treatment of inmates with the most severe forms of mental illness and use of restraints;
- 8) Basic services for the general population to include behavior management, individual counseling, counseling for sexually vulnerable and sexually assaultive inmates, psychotherapy and discharge treatment plans;
- 9) All aspects of in-patient and out-patient on-site mental health care to include sick call, and
- 10) Close collaboration with the Department of Mental Health to ensure continuity of care/discharge planning.

5. **INFORMATION ON HEALTH SERVICES.** Information about the availability of, and access to, health care services is communicated orally and in writing to inmates upon their arrival to the CDF in a form and language they understand.

6. **MEDICAL TRANSFER.** The medical contractor shall ensure inmates receive a health screening by qualified health care personnel, and that all necessary forms and required documentation for intra and inter-institutional transfers is completed on all inmates in a timely fashion.

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7. **SICK CALL.** Any inmate who requests to be seen by clinical staff for non-emergency medical care shall be scheduled for sick call within one (1) business day from the time the automated telephone request or sick call slip is received.
- a. Inmate sick requests are documented and reviewed for immediacy of need and intervention required.
  - b. Contract nursing staff shall conduct sick call five days per week in the general population units and daily in the segregated housing units where inmates are locked down (including weekends and holidays).
  - c. When an inmate is transferred to segregation, health care personnel are informed immediately and provide assessment and review as indicated by the protocol established by the medical contractor.
  - d. Correctional officers shall document the start and completion times of sick call when it is held in the housing unit.
  - e. When the responsible physician determines that an inmate needs health care beyond the resources available in the facility, the inmate shall be transferred under appropriate security provisions to a facility where such care is on-call or available 24 hours a day.
  - f. Inmates in general population and segregation shall request a routine sick call visit by utilizing the automated sick call telephone system located in all housing units or by filing out a sick call form request (Attachment 1). If phone lines are down, or if no phone is available for an inmate to make a request, the inmate will have the ability to fill out a sick call request form.
  - g. Inmates have access to the telephone sick call request system during the same hours that phones are operational in the housing units.
  - h. Medical staff is responsible for retrieving, triaging and scheduling all requests from the phone system and from sick call request forms. Inmates shall be scheduled for sick call in the DOC Electronic Medical Record (EMR), Centricity.
  - i. Medical staff shall continue to hold sick call on each unit, Monday through Friday, and make daily sick call rounds on segregation units.
  - j. In the event of a lockdown, the Wardens office shall notify the medical unit. Medical staff shall ensure that manual sick call slips are available to all affected units, and ensure that all sick call slips are collected, triaged and that

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appointments are scheduled daily until the lockdown is over.

8. **FIRST AID.** First Aid kits shall be available in all housing units, the command center, culinary areas, and accessible to staff assigned to those areas. The health care contractor shall approve, maintain and monitor, on a monthly basis, contents of the first aid kits. The correctional officer in each of the designated areas shall, each shift, examine their kit to determine if the seal is compromised and if so, notify medical for the appropriate refill and reseal. The medical contractor shall, each month, examine all kits for a compromised seal and refill with the appropriate contents. The kits shall contain a list of all items inside. The medical contractor shall keep a record of each refill and monthly inspection of kits. The record shall contain no less than a list of contents, refill dates, and dates the seal was replaced. Automated External Defibrillators (AED) are available for use throughout the facility.
9. **CHRONIC CARE.** The medical contractor shall ensure that inmates with chronic illnesses receive written treatment plans and continuous and appropriate medical services in order to prevent or reduce complications of chronic illnesses and promote health maintenance in accordance to established and approved DOC Performance Improvement measurement tools.
10. **COMMUNICATIONS ABOUT SPECIAL NEEDS PATIENTS.** Communications shall occur between the facility administrator and treating clinician regarding an inmate's significant health needs that must be considered in the classification decision in order to preserve the health and safety of that inmate, other inmates and staff.
11. **EXERCISE.** DOC and the medical contractor shall provide exercise areas and physical therapy when prescribed.
12. **SPECIALTY SERVICES.** The medical contractor shall manage and/or refer inmates to medically necessary secondary services (i.e., specialty consultations/clinics, and all outside diagnostic services and procedures).
13. **MANAGEMENT OF CHEMICAL DEPENDENCY**
  - a. Detoxification. The medical contractor shall ensure that inmates have access to a clinically managed chemical dependency program and that the detoxification of inmates is done under medical supervision in accordance with federal and local law(s), the NCCHC Standards for Opioid Treatment Programs in Correctional Facilities, 29 DCMR Chapter 23 titled "Certification Standards for Substance Abuse Treatment Programs and Facilities", Federal Opioid Treatment Standards as identified in 42 C.F.R. 8.12, and ACA standards. Such

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treatment shall occur at a DOC facility, a D.C. Detoxification Center or an off-site inpatient service facility.

- b. The Chemical Dependency Program provided by the medical contractor shall include clear and concise DOC approved procedures in its Operation Manual to address the following related to patients in the chemical dependency program and/or undergoing detoxification:
  1. Continuous quality improvement;
  2. Identification of appropriate staff to deliver services;
  3. Diversion control plan;
  4. Admission criteria for:
    - a) Maintenance and/or short term detoxification,
    - b) A process for identifying repeat participants and planning for patients who present with two or more unsuccessful detoxification episodes within a 12-month period,
    - c) Education and counseling of patients on admission and obtaining of informed consent,
    - d) Initial Treatment Plans with short-term goals and tasks which reflect the identification of needs related to education, vocational rehabilitation, employment, medical, psychosocial, legal and/or other supportive services, and
    - e) Initial urine drug test.
  5. During treatment the patient shall receive:
    - a) On-going substance abuse counseling and linkage to services internally and upon release,
    - b) A periodic assessment and update of the treatment plan,
    - c) Counseling on preventing HIV exposure, and
    - d) Drug abuse testing in accordance with regulations.

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6. Instructions for treating special populations:

- a) Procedures for treating youth under 18 requiring maintenance or detoxification, and
- b) Special services for pregnant patients.

7. Procedures submitted should also include:

- 1) Clear steps related to documentation, reporting, and monitoring of individual patients in the EMR, and
  - 2) Clear steps related to medication administration, dispensing, storage, dosage and documentation of such in logbooks and the EMR.
- c. Substance Abuse Programs. DOC may, in conjunction with the health care provider, maintain a residential substance abuse treatment program (RSAT) that provides therapeutic services including treatment, education and/or counseling to individual inmates, needs assessments, activities, treatment plans, planning and linkages. Refer to PS 6050.3, *Residential Substance Abuse Treatment Program (RSAT)*.

14. **DENTAL SERVICES.** The medical contractor is responsible for:

- a. Dental screening to be conducted within seven days of admission, unless completed within the last six months.
- b. Routine dental care for chronic dental and oral pathosis (disease state).
- c. Care in accordance with a priority schedule that includes immediate access for urgent or painful conditions.
- d. Dental instruments and supplies (including prosthetics).
- e. Maintenance or replacement of dental equipment.
- f. Treatment beyond the scope of services provided at the CDF and CTF Dental Clinic shall be referred to United Medical Center or another Oral Surgery Clinic contracted to provide services to the DOC inmate population.

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g. Monthly radiology testing for detection of dental staff exposure to radiation.

15. **TESTING, REFERRAL AND DISCHARGE PLANNING.** The medical contractor shall be responsible for the Counseling, Testing, Referral and Discharge Planning (CTRD) program that serves to increase the number of inmates who know their HIV status, are linked into primary medical health care and case management services, and are referred to HIV prevention services and mental health care services. The contractor shall develop written procedures for the provision of CTRD services.

a. Except when there is documentation of refusal on a DOC approved form, the medical contractor shall provide HIV pre and post test counseling and oral HIV rapid testing to all inmates committed to the DOC. This counseling shall occur at the following times:

- 1) As part of intake medical screening,
- 2) Upon request, via sick call. Upon receipt of the request, the medical staff shall schedule the inmate for counseling and testing on the next business day, and
- 3) Prior to release from custody, provided the inmate has been incarcerated within the CDF/CTF for ninety (90) days or more.

b. The following inmates shall not receive HIV oral rapid testing upon intake:

- 1) Inmates with a documented history of HIV reflected in the electronic medical record (EMR),
- 2) Weekenders shall only receive the HIV oral rapid test at their initial intake, unless otherwise ordered by a medical provider, and
- 3) Inmates with a documented test and results in the EMR within the past thirty (30) days prior to their most recent intake.

c. All preliminary positive results from the HIV oral rapid test shall be referred to the DOC medical contractor's physician for immediate follow-up. The physician shall:

- 1) Conduct an in-person interview, explaining the results, and provide additional counseling,
- 2) Ensure blood is collected for confirmatory testing, and

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- 3) Evaluate the inmate for the need of mental health intervention.
  - d. If serology results are confirmed positive, the inmate shall be referred to the chronic care clinic (infectious disease) for medical care.
  - e. The medical contractor shall provide an appropriate HIV related education plan to ensure that those affected know their status and are aware of the available medical services, case management services and other treatment programs within and outside of the DOC.
  - f. The medical contractor shall ensure that inmates who test HIV positive receive at the time of release, a discharge plan that includes an appointment with a medical provider in a neighborhood community health center.
  - g. The medical contractor shall provide HIV positive inmates who require medications a 30-day-supply at the time of release.
  - h. The medical contractor shall be responsible for ensuring that all staff conducting the HIV oral rapid tests are appropriately trained and have signed confidentiality statements.
  - i. The medical contractor shall ensure that its quality assurance plan is in compliance with the DOC/ medical provider's contract, the Centers for Disease Control standards and the Department of Health requirements.
  - j. The medical contractor shall document all results as they relate to the testing, treatment, referral and discharge planning of the inmates in the EMR.
  - k. All confirmed positive results shall be reported to the Department of Health (DOH). Under the Partner Counseling Referral Services, positive test results of individuals released before the results are known, shall be submitted to DOH for community-based notification and follow-up.
16. **INTRA-SYSTEM TRANSFERS.** The medical contractor shall document certain medical information in the transfer summary form in the inmate's electronic medical record after a transfer between the CDF and CTF. This information shall include, but not be limited to: vital signs, diagnosis, medications, reason for transfer (if for medical reasons), etc. The DOC will make every effort to make the proper notification to the medical contractor when inmates are transferred between the two facilities.
17. **INFIRMARY.** At a minimum the operation of the infirmary at the Correctional Treatment Facility shall include:

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- a. A facility set up to provide medical observation and/or monitoring for inmates who do not require hospitalization, but require twenty-four hour a day care.
- b. Health Care staffing twenty-four hours per day. Inpatient care is provided under the supervision of a licensed practitioner (Nurse Practitioner, Physician Assistant, or Physician). The treatments of inmates housed in the infirmary for illnesses or diagnoses requiring observation and monitoring but not admission to a licensed hospital or nursing facility shall be managed by a Registered Nurse. Sufficient and appropriate on-duty contract nursing staff must be available to inmate patients 24 hours a day.
- c. A complete inpatient record for each patient admitted to the infirmary, including an admission work-up and discharge summary. A physician shall at admission document the inmates' level of care. The level of care determines the frequency of visits by medical personnel and the documentation required. Documentation is to be clearly identified in the Electronic Medical Record (EMR).
- d. Quality Improvement Monitoring on a monthly basis.
- e. The physical presence of a registered nurse at all times if intravenous medications are being administered.
- f. A manual detailing the nursing care procedures for infirmary care.

## 18. **EMERGENCY/URGENT MEDICAL CARE FOR INMATES**

- a. Twenty-four (24) hour Urgent/Emergency care is the responsibility of the medical contractor. The medical contractor shall have unimpeded access to providing care and making medical care decisions for inmate(s) whose condition may result in death, organ failure, or a severe life altering situation without medical intervention. Actions taken for an emergency situation shall include, but not be limited to:
  - 1) Any employee who determines that a medical emergency exists shall immediately call the Nurses Station on the Medical Unit.
  - 2) The employee placing the emergency call will provide all necessary information to the nurse in the Nurses Station, i.e., location of injured or ill person, type of injury or illness, and whether the injured person is conscious. A physician shall speak with the employee who is reporting the incident when a nurse is unavailable.

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- 3) The nurse receiving the call will instruct the Officer that the MERT (Medical Emergency Response Team) will respond to the scene. Immediately afterwards, the nurse will initiate the MERT response, then notify the Command Center.
  - 4) The Officer in the Command Center will contact the zone or shift supervisor and request that the supervisor immediately report to the site of the emergency.
  - 5) Medical staff shall respond within four (4) minutes.
  - 6) All employees shall assist the MERT as directed by the MERT team leader.
  - 7) All employees shall assure that Fire and Emergency Medical Services (FEMS) responders gain unimpeded access (to providing medical care) to an individual in need of emergency care.
  - 8) The correctional supervisor shall ensure full cooperation by the correctional staff, to include timely correctional coverage, clearing the emergency area of inmates who are not involved, as well as the provision of security and escort.
  - 9) The Supervisor shall ensure that the scene where an injury took place has been secured, collect any evidence from the scene (if appropriate) and obtain statements from witnesses as soon as reasonably possible following notification of an injury to an employee.
- b. Emergency Plan. All Medical Contracts shall adhere to DOC PS 5031.1, *CDF Emergency Plan*.

## 19. EMERGENCY TRANSPORTATION TO AN OUTSIDE HOSPITAL

- a. If medical personnel determine that a patient requires immediate transportation to an outside hospital, the nurse shall call 911 for DC Fire and Emergency Medical Services (DCFEMS) and shall notify the Command Center.
- b. Medical staff shall directly notify DCFEMS during medical emergencies involving a patient housed in the CTF infirmary.
- c. Medical staff shall provide the DCFEMS with the appropriate documentation needed to accompany the patient to the hospital, to include the trip ticket.

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- d. Emergency medical escorts shall be handled in accordance with guidelines set forth in DOC PS 4910.1, *Escorted Trips*.
20. **OFF-SITE PATIENT SERVICES.** The medical contractors responsibilities for Off-Site medical services shall include, but not be limited to:
- a. Off-Site Visits. The medical contractor shall make arrangements and prepare medical documents for inmates to receive specialty care at other institutions i.e., United Medical Center, Howard University Hospital, Washington Hospital Center, St. Elizabeth's Hospital, etc.
  - b. Returning from Off-Site Visits. The escorting officer shall be responsible for collecting any documentation from the off-site service provider and returning it to the medical contractor. The medical contractor shall be responsible for the management of medical/mental health needs, as a part of the Off-Site recommendations that accompany the patient upon return.
21. **SUICIDE AND SUICIDE PREVENTION.** Suicide and Suicide Prevention shall be governed by the guidelines set forth by DOC PS 6080.2, *Suicide Prevention and Intervention* which is reviewed annually by the Suicide Prevention Intervention and Improvement Team. It includes specific procedures for handling intake, screening, identifying, and supervising of a suicide-prone inmate. The medical contractor shall provide assistance, guidance and treatment planning for any inmate that a mental health professional determines to be in imminent danger of committing suicide because of a recent suicide attempt, verbalized threat to commit suicide, and/or has displayed other suicide risk indicators.
22. **MEDICAL RESTRAINTS.** Four/five point restraints are used only in extreme circumstances and only when other types of restraints have proven ineffective. Only after a physician's assessment and order shall restraints be used if it is determined that, as a result of a mental or behavioral disorder, an inmate is an imminent danger to his/her self or others. The Clinical Manager for Mental Health, or his/her designee, shall assign a nurse to provide 1:1 constant observation and documentation every 15 minutes.
23. **INVOLUNTARY ADMINISTRATION OF PSYCHOTROPIC MEDICATION.** Forced psychotropic medication will be used only when an inmate is imminently dangerous to him/herself or others due to mental disease or defect. Health Services staff shall follow the medical provider's policy (Attachment 2) developed for the emergency use of forced psychotropic medications as governed by applicable laws and standards. This policy requires, prior to the use of forced psychotropic medication, that a physician provide authorization and a description of when, where and how

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the psychotropic medication may be forced. Additionally, when a physician orders psychotropic medication to be forced, he or she shall document the following in the inmate's record:

- a. The inmate's condition;
- b. The threat posed;
- c. The reason for forcing the medication;
- d. Other treatment modalities attempted, if any, and
- e. Treatment plan goals for less restrictive treatment alternatives as soon as possible.

24. **PSYCHIATRIC EVALUATION AND HOSPITALIZATION.** Inmates whose acute psychiatric symptoms fail to remit due to medication non-compliance, who are assessed to be a danger to themselves or others due to mental illness shall, upon a face-to-face psychiatric evaluation and in accordance with District of Columbia Superior Court Rules of Procedure for Mental Health Rule 10, Commitment of Prisoners to Mental Institutions, be transferred to the John Howard Pavilion/St. Elizabeth's Hospital. Inmates returning from St. Elizabeth's shall be evaluated by a physician and psychiatrist before they can be housed in order to manage care and determine housing. Inmates with severe developmental disabilities may be housed on a mental health cellblock.

25. **TREATMENT FOR VICTIMS OF SEXUAL ABUSE/ASSAULT/CONTACT**

- a. The medical contractor shall refer victims of sexual abuse/assault, under appropriate security provisions, to a hospital emergency room for treatment and gathering/preservation of evidence.
- b. The medical contractor shall ensure that the inmate is provided with prophylactic treatment and follow-up for sexually transmitted diseases as is appropriate.
- c. The medical contractor shall ensure that the inmate is provided a mental health evaluation by a mental health professional to assess the need for crises intervention counseling and long-term follow-up.
- d. The medical contractor shall submit a copy of the initial medical referral report to the DOC. Subsequent treatment and evaluations shall be provided to the DOC and local law enforcement in a manner required by law.

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## 26. PREGNANCY MANAGEMENT

- a. Pregnant inmates shall be provided confidential and comprehensive ongoing prenatal and postpartum follow-up medical services and linkages.
- b. Female inmates who suspect pregnancy shall be referred to the in-house OB clinic to receive pregnancy testing and counseling for routine and high-risk prenatal care.
- c. In accordance with Women Prisoners of the District of Columbia Department of Corrections, et al. v. District of Columbia et al., the DOC shall place no restraints on any woman in labor, during delivery, or in recovery immediately after delivery. During the last trimester of pregnancy up until labor, the DOC will use no restraints when transporting a pregnant woman unless the woman has demonstrated a history of assaultive behavior or has escaped from a correctional facility, in which case, only handcuffs shall be used.

27. **ABORTION.** It is DOC policy to ensure that the legal right to therapeutic or elective abortions is not mitigated by reason of incarceration. No DOC employee, contract employee or volunteer shall in any manner compel, encourage, discourage, coerce or delay an inmate's decision to either have or not have an abortion.

28. **ELECTIVE PROCEDURES.** The medical contractor, in conjunction with the DOC Health Services Administrator, and in accordance with local regulations, shall provide guidelines that govern elective procedures or surgery for inmates. They must include decision-making processes for elective surgery needed to correct a substantial functional deficit or if an existing pathology process threatens the well-being of the inmate over a period of time.

29. **ANCILLARY SERVICES.** The medical contractor is responsible for the provision of all radiology, laboratory, pharmacy and other ancillary services.

30. **PHARMACEUTICALS.** The medical contractor shall comply with all applicable District and Federal regulations regarding dispensing, distribution, storage and disposal of pharmaceuticals. The medical contractor shall maintain a pharmacy.

31. **NON-PRESCRIPTION MEDICATION.** Nonprescription medications are only available to inmates through the medical contractor, i.e. sick call, urgent care.

32. **PROSTHESES AND ORTHODONTIC DEVICES.** The medical contractor is responsible for the assessment of inmates' needs for adaptive medical and dental devices. These devices shall be provided when the health of the inmate would

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otherwise be adversely affected, as determined by the physician or dentist.

33. **NUTRITION SERVICES/THERAPEUTIC DIETS.** Inmates housed at CDF and CTF shall be given regular diet trays that a qualified dietitian has ensured meets the nationally recommended allowances for basic nutrition. The exceptions to this are those inmate patients requiring therapeutic, medical or dental diets:
- a. The contract Licensed Independent Practitioner (MD, DO, NP, DDS, DMD, etc.) shall order therapeutic diets as defined by law, rules and regulations of District of Columbia.
  - b. The contract Licensed Independent Practitioner (LIP) may also order nutritional supplements.
  - c. The DOC licensed Dietician shall be responsible for providing oversight to ensure that all dietary requirements are met in accordance with the American Dietetic Association. This includes regular and medical diets.
34. **COMMUNICABLE DISEASE AND INFECTION CONTROL PROGRAM.** Under the direction of the contract Health Services Administrator, the contract Infection Control Coordinator maintains the Infection Control Program through the performance of the following duties and responsibilities:
- a. Directs the investigation and institutes appropriate control measures of all risk situations related to infection, prevention, surveillance and control which may endanger patients, personnel or visitors.
  - b. Formulates Infection Control policies and practices, including those regarding sterilization and disinfection within all operative locations, and those associated with the storage of sterile supplies and the recall of the same.
  - c. Reports of communicable and infectious diseases in accordance with federal and local law(s).
35. **TUBERCULOSIS.** All persons in the DOC (staff and inmates) shall receive annual screening for tuberculosis (TB). Procedures for management of TB among employees are addressed in PS 6050.1, *Tuberculosis Control Program*, and procedures for management of TB among inmates are provided as a routine component of inmate health care.
36. **HEPATITIS A, B, C.** Under the direction of the contract Health Services Administrator, there is a plan to identify infected inmates, provide treatment (when indicated), follow-up, and isolation (when indicated).

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37. **HIV/AIDS MANAGEMENT.** Under the direction of the contract Health Services Administrator, the medical contractor shall identify, provide surveillance, immunization (when applicable), treatment, follow-up, and isolation (when indicated).
38. **HEALTH EDUCATION.** DOC and the medical contractor shall coordinate health education and wellness programs for inmates who are in DOC facilities. Topics in the Health Education Program will include, but are not limited to:
- a. Anger Management,
  - b. Conflict Management,
  - c. Domestic Violence,
  - d. HIV/STD Education,
  - e. Life Skills,
  - f. Stress Management,
  - g. Substance Abuse, and
  - h. Violence Prevention
39. Video/DVD enabled televisions are located on the third floor medical unit. Video/DVDs regarding health education topics including, but not limited to, Living with Diabetes, Cancer Awareness, Communicable Diseases, Nutrition, and Stroke Information shall be shown in the medical area. The television is on from 9:00 am until there are no longer inmates in the medical area.
40. **DISCHARGE PLANNING.** Continuity of care is provided from admission to transfer or discharge from the DOC facilities, including discharge planning and referral to community-based providers, when indicated.
- a. During the intake history and physical the medical contractor's provider will ensure each inmate receives an Initial Discharge Treatment Plan. The physician will provide this to the inmate in a sealed envelope. Information in the plan will support continuity of care in the event an inmate is released within twenty-four hours of intake (i.e. court ordered release).
  - b. The contractor shall ensure that necessary medical documentation required for an inter-institutional transfer is completed on all patients transferred to

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another facility.

- c. The contractor shall provide linkages to the community for continuity of care. Upon release, all inmates must receive a discharge treatment plan, and if applicable, an initial appointment to an assigned health care center of their choice in the inmate's neighborhood, ideally with the same health care team that provided services while the inmate was in custody. The contractor shall make every effort to provide an assigned health care provider to inmates who are not District residents.
  - d. The Mental Health Liaison from the D.C. Department of Mental Health (DMH) assigned to the DOC evaluates patients with mental health problems who are due to be released into the community. While the patient is still incarcerated, the liaison links them with a community-based Community Services Agency (CSA) and follow-up appointment within forty-eight hours of their release.
  - e. Inmates shall receive medication sufficient for three (3) days and a prescription for thirty (30) days of medication. If an inmate is released between 10:00 p.m. and 7:00 a.m., they shall receive a seven (7) day supply of medication and a prescription for thirty (30) days of medication. Inmates shall receive HIV medication sufficient for thirty (30) days.
41. **INMATE DEATH.** If the medical contractor's physician determines through assessment of the inmate that all of the clinically accepted signs and symptoms of death are present and that the inmate is clinically dead and beyond being revived, the contractor's physician may order CPR be ceased and may pronounce death.
- a. The procedure for the identification, verification, reporting and documentation of an inmate death shall be governed by guidelines set forth in DOC PS 4352.1, *Inmate/Offender Deaths*.
  - b. Notification about the death of an inmate shall be governed by guidelines set forth by DOC PS 1280.2, *Reporting and Notification Procedures for Significant Incidents and Extraordinary Occurrences*.

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## CHAPTER 5 INMATE TREATMENT

1. **FAIR TREATMENT.** DOC, CCA/CTF and the medical contractor shall ensure that inmates are treated humanely, fairly and in accordance with applicable laws.
2. **NOTIFICATION.** It is DOC policy to notify an individual that the inmate designates in case of serious illness, serious injury or death, unless security restrictions dictate otherwise.
3. **PRIVACY.** The medical contractor shall ensure that medical and mental health interviews, examinations and procedures are conducted in a setting that respects the inmate's privacy. Female inmates are provided a female escort for encounters with a male medical contractor.
4. **CONFIDENTIALITY.** The principle of confidentiality applies to an inmate's health records and information about the inmate's health status. Privacy and confidentiality of health care information shall be governed by DOC PS 1300.3, *Health Information Privacy*.
5. **INFORMED CONSENT.** Health care services shall be rendered according to federal standards, District law(s), and ACA standards in a language understood by the inmate. The rights of inmates shall be taken into consideration when providing medical services.
  - a. When medical care is rendered without the inmate's consent, it shall be done in accordance with federal and local laws and regulations.
  - b. Any inmate may refuse (in writing) medical, dental and mental health care services. If the inmate refuses to sign the refusal form, it must be signed by at least two witnesses. A qualified health care professional must review the refusal and conduct a face-to-face evaluation if there is concern about decision-capacity or if the refusal is for critical or acute care.
  - c. An individual's treatment through a new medical procedure will be undertaken only after the inmate has received a full explanation, by their physician, of the positive and negative features of the treatment and only with informed consent.
  - d. In the case of minors, the informed consent of a parent, guardian or a legal custodian applies when required by law.

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## 6. HEALTH CARE DECISIONS

- a. The health care provider who is treating or providing services for an incapacitated inmate at the time of the health care decision, DOC medical contractors, and all DOC employees are prohibited from authorizing, granting, refusing or withdrawing consent on behalf of the inmate with respect to a decision regarding health care services, treatments or procedures.
- b. In the absence of a durable power of attorney, and provided that the inmate's incapacity has been certified, the following individuals, in descending order of priority set forth below, shall be authorized to grant, refuse or withdraw consent on behalf of the inmate with respect to the provision of any health-care service, treatment or procedure. The decision to grant, refuse or withdraw consent shall be based upon the known wishes of the inmate or, if the wishes are unknown and cannot be ascertained, a good faith belief as to the best interests of the inmate. At least one witness shall be present when this person makes the decision.
  - 1) A court-appointed guardian or conservator, if the consent is within the scope of the guardianship or conservatorship;
  - 2) The spouse or domestic partner;
  - 3) Parent;
  - 4) Adult sibling;
  - 5) A religious superior if the inmate is a member of a religious order or a diocesan priest;
  - 6) A close friend; or
  - 7) The nearest living relative.

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## **CHAPTER 6**

### **MEDICAL RECORDS**

#### **1. INMATE MEDICAL RECORD**

- a. The medical contractor shall maintain both a paper and electronic medical record for each inmate committed to the DOC.
- b. All inmate medical records shall be the property of the DOC.
- c. Health records shall be complete and required information shall be filed in a uniform manner in accordance with ACA and NCCHC standards.
- d. Medical records shall be readily accessible to health care professionals, promptly retrievable, and securely stored.
- e. Non-emergency inmate transfers require the transfer of the inmate's medical record that will contain summaries of the inmate's health condition, treatments, allergies, written treatment instructions and other information necessary to maintain continuity of care.
- f. If the inmate is being transferred to another facility, the medical contractor shall secure a copy of the medical record in a sealed plastic envelope and deliver it to DOC or CCA/CTF correctional personnel for transfer.
- g. Only an authorized employee of the medical contractor shall open the sealed envelope.

#### **2. CONFIDENTIALITY OF MEDICAL RECORDS**

- a. The medical contractor shall maintain confidentiality of information in the medical record, distribute medical records among health care professionals, and maintain security of medical records in compliance with the Health Insurance Portability and Accountability Act (HIPAA) security standards.
- b. Medical records shall be maintained in the Medical Records Office. They shall never be out of the medical practitioner's span of control, except for the following:
  - 1) A patient transfer outside of CDF and CTF;

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- 2) An Office of the Attorney General request for litigation purposes, after a receipt has been secured; or
  - 3) A review by law enforcement authorities or Court Order/Subpoena in accordance with HIPAA standards.
- c. Inmate workers assigned to the Medical Unit shall not have access to patient information, medical records, or make medical determinations or perform any type of health care procedure.
3. **INACTIVE RECORDS.** Inactive health record files are retained as permanent records in compliance with the legal requirements of DOC. Health record information will be transmitted to specific and designated physicians or medical facilities in the community upon written request or authorization of the inmate and in accordance with HIPAA guidelines.
4. **RECORDS RETENTION AND DISPOSAL**
- a. The method of recording entries in the health records and the format of the health records shall be approved by the DOC.
  - b. Inmate records are the sole property of DOC.
  - c. The medical contractor shall be responsible for the maintenance, retention and timely transfer of a complete, standardized medical record for all inmates in accordance with prevailing federal law(s), local law(s), medical regulations, and ACA standards.
  - d. The medical contractor shall maintain inmate medical records in an electronic medical record system and a parallel paper record system.
  - e. The medical contractor shall be responsible for the storage and retrieval of archived paper medical records off-site.
  - f. The medical contractor shall retain inactive medical records for ten (10) years and in compliance with HIPAA standards.

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## CHAPTER 7

### EMERGENCY MEDICAL TREATMENT FOR EMPLOYEES, CONTRACTORS AND VISITORS

1. **REQUIREMENT.** An injured or ill employee shall have unimpeded access to immediate medical attention from the medical contractor.
  
2. **PROCEDURES.** Procedures for notification and treatment of an employee injury or illness shall be as follows:
  - a. **Notification**
    - 1) An employee shall immediately call the Nurses Station on the Medical Unit to notify the health care provider about a serious personal injury, major illness while on the job, or traumatic medical situation of another employee.
    - 2) An employee shall also notify the Command Center about a serious personal injury, major illness while on the job, or injury to another employee.
    - 3) An employee incurring an injury or illness that does require immediate medical attention must make verbal notification to his/her supervisor without delay.
    - 4) An employee incurring an injury or illness that does not require immediate medical attention shall report their medical condition to the medical contractor directly following notification to their supervisor and relief coverage for their duty station will be arranged, if necessary.
  
  - b. **Medical Response**
    - 1) The medical contractor shall provide first response services to an injured or ill employee for the purpose of assessment, stabilization, and referral to an outside provider.
    - 2) Following notification of an injured or ill employee, the supervisor's first and most important responsibility is to ensure that the employee promptly receives necessary medical attention from the medical contractor, and that there is proper medical documentation of the injury or illness to an employee.

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c. **Medical Referral**

- 1) The medical contractor shall not be responsible for the ongoing medical management of an employee.
- 2) The medical contractor shall arrange for DC Fire and Emergency Medical Services (DCFEMS) to transfer a seriously injured/ill employee by ambulance.
- 3) The medical contractor shall document an employee's complaint of an injury or illness. The report of the illness or injury shall be forwarded to the employee's supervisor in a sealed envelope.

d. **Crime Scene.** The Supervisor shall ensure that the scene where an injury took place has been secured, collect any evidence from the scene (if appropriate) and obtain statements from witnesses as soon as reasonably possible following notification of an injury to an employee.

e. **Supervisory Administrative Follow-up.** The investigation and the reporting of an employee's injury or illness shall be handled in accordance to DOC *PS 2921.2, Reporting Employee Accidents and On-the-Job Injuries*.

UNITY HEALTH CARE, INC.

<b>DEPARTMENT:</b> CENTRAL DETENTION AND CORRECTIONAL TREATMENT FACILITIES HEALTH SERVICES DIVISION	<b>TITLE:</b> EMERGENCY PSYCHOTROPIC MEDICATION ADMINISTRATION	<b>POLICY #:</b> CF902 <b>PAGE:</b> 1 of 4
<b>REVIEWED BY:</b> 	<b>EFFECTIVE DATE:</b> October 1, 2006	<b>DATE REVISED:</b> June 2007 February 11, 2008 December 29, 2008 June 1, 2010 April 15, 2011
<b>APPROVED BY CMO:</b> 	<b>APPROVED BY CEO:</b> 	

**SUBJECT:** EMERGENCY PSYCHOTROPIC MEDICATION ADMINISTRATION

**PURPOSE:** To establish procedures for identifying emergency psycho-behavioral conditions in which the administration of emergency psychotropic medication is indicated and administered.

**POLICY:** Inmates experiencing psycho-behavioral emergencies and who demonstrate imminent danger of violence and/or significant harm to themselves or others and/or imminent risk of marked deterioration and who refuse voluntary emergency adjunct medication in addition to less restrictive treatment(s) may be involuntary administered emergency psychotropic medication to protect their lives and/or the lives of others upon the duly executed order of a physician.

**DEFINITIONS:**

- I. **Psycho-behavioral Emergency** – A clinical emergent condition in which an inmate poses an imminent danger to himself and/or others through expressed verbal intent to commit violence or significant harm and/or through demonstrating behavior(s) likely to cause violence or significant harm and/or through inducing others to commit violence or significant harm and where it is believed that a high risk exists that the clinical emergent condition will escalate into violence or harm if the inmate is not immediately treated.
- II. **Emergency Psychotropic Medication** – A psychotropic medication, or antidote to a psychotropic medication, available for immediate administration and maintained in a designated unit medication control cabinet for emergencies and/or or in the pharmacy.
- III. **Prescribing Provider** – A licensed Physician, Physician's Assistant or Nurse Practitioner specializing in psychiatry or who is knowledgeable on the emergent use of psychotropic medications.

PROCEDURE:

- I. Inmates who are observed to exhibit conduct indicative of a high risk for violence or significantly harmful behavior towards themselves and/or others are evaluated by mental health personnel, immediately upon referral, who are qualified to implement emergency protective actions, in coordination with Correctional Staff, to protect the inmate and/or others (pursuant to 'Mental Health Acute Care Services,' 'Use of Medical Restraint and Seclusion,' 'Suicide Prevention' and 'Mental Health Behavioral Management' policies) as is necessary to protect the life of the inmate and/or others.
- II. When emergent protective action(s) is/are taken to protect the inmate and/or others from the inmate's high risk violent or significantly harmful behaviors the least restrictive (i.e. counseling, offering of oral medication, etc.) means of protecting the inmate and/or others will be implemented.
- III. In those instances where emergent restrictive measures are employed to protect the inmate, the practitioner will determine if emergent adjunctive psychotropic medication may be necessary to reduce the risk of any violent or significantly harmful potential acts, which the inmate may commit, and the Provider will request the inmate to accept voluntarily the emergent adjunct psychotropic medication which the Provider finds useful, necessary, and indicated in treating the inmate.
- IV. In determining that the inmate is in need of emergent adjunct psychotropic medication, in addition to other less restrictive measures such as counseling, voluntary oral medication which may have been employed to reduce the inmates' risk of reasonably foreseeable violent or significantly harmful acts, the Provider will consider and will document in the inmates medical record the following minimal findings in support of the use of emergent adjunct psychotropic medication, which the inmate has been requested to accept voluntarily:
  - A. Whether the inmate has stated that he intends to harm himself and/or others;
  - B. Whether the inmate has demonstrated any behavior which has harmed, or which could possibly lead to the harm of the inmate or others;
  - C. Whether the inmate has expressed verbally and/or non-verbally severe acute psychiatric symptoms.
  - D. Whether the inmate is unable or unwilling to accept, voluntarily, recommended emergent adjunct psychotropic medication and is determined to be suffering from a psycho-behavioral emergency.
  - E. Whether the inmate is at imminent risk of committing an act of violence or significant harm against self or against others, or is at imminent risk of marked deterioration which if untreated could be expected to pose imminent risk of violence or significant harm to self or others.
- VII. When the prescribing provider determines the following, the Provider may elect to order and/or administer emergency adjunct psychotropic medication, involuntarily, to the inmate:
  - A. A psycho-behavioral emergency exists;

- B. Emergency adjunct medication is useful, necessary, and indicated to treat the psycho-behavioral emergency;
  - C. The inmate suffering a psycho-behavioral emergency will not, or can not, accept emergency adjunct medication voluntarily; and
  - D. The inmate suffering the psycho-behavioral emergency is at imminent risk of committing an act of violence or significant harm to self or to others, or is at imminent risk of marked deterioration, which if untreated could be expected to pose an imminent risk of violence or significant harm to self and/or others.
- VIII. The prescribing Provider will in so far as is possible, consult with and rely upon interdisciplinary mental health information provided to the provider verbally and/or in writing as is recorded in the inmates medical record, as well as upon the Provider's direct examination of the inmate when deciding on the need for emergent adjunct psychotropic medication use.
- IX. The medication will be ordered and administered only to protect the life and imminent well being of the inmate and/or others and in the belief that the failure to administer such emergency adjunct medication could be expected to cause the inmate to commit an act of violence or significant harm against self or others and/or cause marked and imminent deterioration in the inmates condition to cause the inmate to act violently and/or with significant harm against self or others.
- X. The Provider will not 'force' medication upon an inmate in violation of the inmate's rights to refuse informed consent treatment or in any manner as an act of retaliation of any kind against the inmate and will not involuntarily administer emergency adjunct psychotropic medication to the inmate, except in circumstances where less restrictive forms of treatment (i.e.; counseling, voluntary oral medications, etc.) have been exercised without success or are determined to be insufficient and/or otherwise inadequate to treat the inmates psycho-behavioral emergency, and except where it is determined that the inmate is at imminent risk of violence and/or significant harm and/or imminent marked deterioration to cause violence and/or significant harm to self and/or others, and where the inmate will not or cannot voluntarily accept emergency adjunct medication in treatment. All less restrictive forms of treatment attempted to resolve the psycho-behavioral emergency should be documented in the chart before the administration of emergent adjunct psychotropic medication, or immediately after the administration of emergent adjunct psychotropic medication.
- XI. The emergency adjunct psychotropic medication will be given in the Urgent Care Safe Cell or on the Acute Mental Health Unit by the Charge Nurse or designee on duty with the aid and assistance of Correctional Officers when required. The inmate will be placed on observation in either the Safe cell on the 3rd floor Infirmary or in the observation cell on the Acute Mental Health Unit and monitored for adverse reactions and side effects of the emergency adjunct psychotropic medication, and a treatment plan will be developed for less restrictive treatment alternatives (i.e.; counseling, voluntary oral medications, etc.) as soon as possible.

- XII. If an inmate's psycho-behavioral emergency cannot be fully resolved within forty eight (48) hours of the administration of emergency adjunct psychotropic medication, in addition to other alternate and less restrictive, intrusive forms of treatment (i.e.; counseling, voluntary oral medication, etc.) the inmates' legal counsel will be informed and a request for mental health commitment and transfer of the inmate involuntarily to an appropriate secure facility initiated. If the inmate's counsel is unavailable to petition for involuntary mental health commitment the Department of C Medical Director will be notified. Unity will provide supporting documentation concerning the necessary transfer of incarcerated persons requiring involuntary mental health services (see policy 'Mental Health Inpatient Services').
- XIII. In a psycho-behavioral emergency the Provider may administer emergency psychotropic adjunct medication involuntarily upon duly executed medical order and will inform the treating Psychiatrist thereafter that such medication has been administered emergently and involuntarily to an inmate, and the Psychiatrist will review the medical record and will acknowledge the reviewed the record.
- XIV. A verbal medication order may be given by a Prescribing Provider if no Prescribing Provider is available onsite at the time the emergency psychotropic medication is required. All verbal orders will be signed by the Prescribing Provider within 24 hours of giving the order. Verbal orders will not be accepted if a Prescribing Provider is on site and available at the time the emergency psychotropic medication is required. When the latter occurs, the onsite Provider will discuss the case and formulate a plan of intervention including emergency psychotropic medication administration and treatment plan goals for less restrictive treatment alternatives as soon as possible with the On-Call Psychiatrist and duly execute said plan.

RELEVANT STANDARDS:

- I. National Commission on Correctional Health Care, Standards for Health Services in Jails (2008), Emergency Psychotropic Medication, J-I-02.
- II. American Correctional Association, Standards for Adult Local Detention Facilities, 4<sup>th</sup> Ed. (2004), 4-ALDF-4D-17.
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UNITY HEALTH CARE, INC.

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