

Weber County Correctional Facility

Volume:

Inmate Health Care

Chapter:

JH 01 -ADMINISTRATION OF HEALTH CARE

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JH 01/01.00 **GENERAL**

JH 01/01.01 **Purpose**

The purpose of this chapter is to provide policy, rationale, and procedure to facilitate the administration of inmate health care.

JH 01/01.02 **Cross References**

JB02 GRAMA
JC02 Admission
JH03 Screening and Examinations
JH04 Health Care Delivery
Medical Unit Post Orders
Physician Standing Orders
UCA 78-14-5 (4) (Refusal of Medical Treatment)
Utah Jail Standards HOI.00.00 -HOI.01.02
WCSO Policy 41.10

JH 01/01.03 **Definitions**

adequate health care	immediate life / health sustaining needs to include: first aid, dentistry, medications, physical examinations, emotional and mental health.
Co-Pay	that portion of health care delivery costs which the inmate is required to pay
emergency	any medical anomaly for which treatment, in the judgment of staff, cannot be delayed until the next regularly scheduled sick call
GRAMA	Government Records Access and Management Act
HIPPA	Health Insurance Portability and Accountability Act
informed consent	when an inmate fully understands the nature of treatment
implied consent	when an inmate needs emergency treatment but is unable to consent, or when consent is indicated by seeking medical attention
LPN	Licensed Practical Nurse

NCCHC	National Commission on Correctional Health Care
OIC	Officer in Charge
Physician	a person licensed by the State of Utah to practice medicine.
Physician's Assistant	a person licensed by the State of Utah to practice medicine under the direction of a physician
QA program	Quality Assurance program
RME	Request for Medical Evaluation form
RN	Registered Nurse
WCCF	Weber County Correctional Facility
WCSO	Weber County Sheriff's Office

JH 01/02.00 **ADMINISTRATION OF HEALTH CARE**

JH 01/02.01 **Policy**

It is the policy of the WCCF that:

- A. the WCCF shall adapt policies and procedures which govern the process for providing inmates access to medical, mental health, dental, and other necessary health care services;
- B. the WCCF shall provide a health care system which ensures a reasonable effort to provide adequate health care, and which does not demonstrate indifference to the health and safety of inmates;
- C. WCCF shall designate a qualified health care professional or health care provider with responsibility and authority to administer the health care of inmates;
- D. no inmate is denied care for serious health care needs based on cost of services or an inmate's inability to pay for health care;
- E. examinations, treatments, and other health care measures are provided with the informed consent of the inmate, and that inmates have a right to refuse medical treatment as provided by Utah State law (UCA 78-14-5), except in the case of an emergency. The requirements of Implied Consent shall be upheld in cases of emergency treatment;
- F. WCSO officials notify the inmates' reported next of kin, in cases of serious injury, illness, or death;
- G. inmate medical records are kept separate from other inmate records;
- H. the WCCF physician shall assist in development and approve protocols for medical staff which identify specific treatment procedures to be provided by the WCCF medical staff.

JH 01/02.02 **Rationale**

- A. Adequate health care for inmates is required by the U.S. Constitution.
- B. Written policies and procedures are necessary to ensure that staff members understand the elements and requirements of health care access for inmates. The potential for liability as a result of harm suffered by an inmate due to a failure of the jail's health care system to provide adequate

access to health care justifies the development of comprehensive policies and procedures.

- C. Designation of administrative responsibility is crucial to ensure consistent delivery of quality health care, to eliminate any question of decision-making authority in the event of questions or conflicts related to health care decisions, and generally ensure compliance with legal and medical requirements.
- D. Written policies and procedures are necessary to identify the health care services available at the WCCF and to govern the delivery of those services.

JH 01/02.03 **Procedure: Inmate Access to Health Care Services**

A. Access Through Intake Screening Process

- 1. Inmates shall be screened for serious or life threatening medical conditions prior to being admitted into the facility, or transfer of custody.
See policy JH 03, Screening and Examinations.
- 2. An initial medical screening is done at the time of booking.
Information is forwarded to the Medical Unit as per WCCF Policy JC 02, Admission and Initial Risk Assessments.

B. Access Through Examinations

- 1. Inmates confined at WCCF shall be provided a base line physical assessment within a reasonable period of time after confinement. Those inmates found with or who have declared medical needs shall be a priority.
- 2. All inmates may request examinations by submitting a completed RME (Request for Medical Examination) form to the medical unit.
See policy JH 04, Health Care Treatment.

C. Access Through Diagnosis

- 1. At the conclusion of the examination process, inmates appearing to need diagnosis/ treatment shall be referred to see the WCCF Physician.
- 2. If an inmate was receiving treatment from an outside physician prior to confinement, the outside physician may be contacted for

his original diagnosis and treatment plan. This diagnosis and treatment plan shall be reviewed, evaluated and may be considered for an ongoing treatment plan.

D. Access Through Treatment

1. A treatment plan shall be completed and initiated at the conclusion of the examination process. This treatment plan should include all needed actions to provide the inmate with adequate medical care.
2. The WCCF physician and / or Nurse Administrator shall approve all treatment plans submitted by sources other than him/her, prior to the initiation of that treatment. Life sustaining treatments shall be considered approved, and covered by existing protocols. See policy JH 04, Health Care Treatment.
3. WCCF medical staff shall comply with the treatment plans directed by the WCCF physician and / or Nurse Administrator.
4. All inmates shall be directed to adhere to the treatment plans of the WCCF physician. Failure to do so may result in discontinued or modified treatment and / or possible disciplinary sanctions.

E. Access After Release from Custody

1. The WCCF Medical Unit will maintain and provide a current list of community Health Care referral sources available to inmates who may benefit from continued health care upon their release.

JH 01/02.04 **Procedure: Responsibility and Authority for Health Care Delivery**

A. WCCF Physician

1. The WCCF physician, in conjunction with the WCCF Jail Command, shall have ultimate authority regarding inmate health care.
2. The WCCF physician is granted appropriate authority by the WCCF administration to administer necessary medical services to inmates at a level commensurate with his/her professional licensure and current NCCHC Standards.
3. The WCCF physician shall be known as the Health Care Director.

4. The WCCF physician shall prescribe the use and distribution of inmate medications within the WCCF.
5. The WCCF physician shall provide WCCF with medical protocols which specify treatment procedures to be provided by WCCF medical staff. Protocols:
 - a. are documents which allow medical staff to perform health care functions under licensure of the physician;
 - b. shall be reviewed yearly and maintained in a manner that is easily accessible to medical staff;
 - c. shall include, but not be limited to:
 - 1) comprehensive guidelines which address possible situations that are likely to be encountered within a confinement facility;
 - 2) a list of pre-approved medications/ treatments and the conditions for their use;
 - 3) signatures of approval by the WCCF Chief Deputy, Undersheriff, Sheriff and the WCCF physician.
6. The WCCF Nurse Administrator, in conjunction with the physician, should prepare a Quality Assurance (QA) program as a tool to audit the effectiveness and efficiency of health care services provided by the WCCF medical unit.
7. The WCCF Physician shall prepare a Communicable Disease and Infection Control Program which may be incorporated into protocols to provide procedures for prevention, education, identification, surveillance, and treatment of communicable diseases and infection control within the WCCF.

B. WCCF Nurse Administrator

1. The WCCF shall appoint a Nurse to have supervisory authority as the WCCF Nurse Administrator. The authority to act in this position is granted through the Sheriff.
2. The Nurse Administrator shall be allowed to perform medical services commensurate with the current standards of care

authorized by a certifying agency, the WCCF physician and the WCCF jail commander.

3. The Nurse Administrator shall:
 - a. Be a liaison between the WCCF physician and the WCCF medical staff;
 - b. Be a liaison between the medical staff and the WCSO administration;
 - c. Assist the WCCF physician in writing, reviewing and maintaining medical administrative directives;
 - d. Ensure that adequate space, equipment and supplies are available for operation of the medical staff;
 - e. Coordinate with the WCCF physician and other staff all pertinent health care activities;
 - f. Identify necessary emergency contact information and make this information available to medical staff;
 - g. Administer staffing for the medical unit including shift schedules and shift coverage;
 - h. Coordinate with contract agency medical staff in providing health care for contract inmates;
 - i. Coordinate and facilitate appointments with other medical services providers, ie., Mental Health, laboratory and x-ray technicians, and other service providers;
 - j. Ensure maintenance and confidentiality of medical records;
 - k. Attend staff meetings as directed; and
 - l. Submit reports as required/ directed to WCSO Administrative staff.

C. Registered Nurse

1. The WCCF medical unit should be staffed with a Registered Nurse (RN). The RN shall be allowed to perform medical services

commensurate with the standards of care authorized by a licensing agency, the WCCF physician and the Sheriff or his/her designee.

2. The duties of each RN shall be identified in a post order and assigned by the WCCF Nurse Administrator.
3. RN's shall be responsible to carry out the orders and directives of the WCCF and WCCF physician relative to health care services.

D. Licensed Practical Nurse

1. The WCCF medical unit may be staffed with a Licensed Practical Nurse (LPN). The LPN shall be allowed to perform medical services commensurate with the standard of care authorized by a licensing agency, the WCCF physician and the Sheriff or his/her designee.
2. The duties of each LPN shall be identified in a post order and assigned by the WCCF Nurse Administrator.
3. LPN's shall be responsible to carry out the orders and directives of the WCCF physician relative to health care services.

E. Other Staff Assigned to Work in the WCCF Medical Unit

1. WCCF staff assigned to the medical unit shall be allowed to perform those health care activities commensurate with the standard of care authorized by a licensing or certifying agency, the WCCF physician and the Sheriff or his/her designee.
2. WCCF staff assigned to the medical unit shall be responsible to carry out the orders and directives of the WCCF and WCCF physician relative to health care services.

JH 01/02.05 **Procedure: Costs of Health Care Services**

- A. WCCF will not refuse medical treatment to inmates due to an inmates' inability to pay a co-payment. Indigent inmates shall be allowed access to all aspects of medical service.
- B. Co-payments for medical treatment shall be assessed as outlined in WCCF policy JH 06, Medical Co-Pay.

JH 01/02.06 **Procedure: Informed Consent Requirements**

Examinations, treatment and other protocols may only be provided with the informed consent of the inmate, except in the case of emergency. If an inmate is unable to by reason of age, physical or mental condition give or refuse informed consent, consent may be given by another person as authorized by law. (UCA 78-14-5 (4))

JH 01/02.07 **Procedure: Notification in the Case of Inmate's Death or Medical Emergency**

- A. Intake Officers should request the names, phone numbers, and addresses of persons to be notified in the event of an emergency as defined in WCCF policy JC 02, Admission.
- B. If a serious injury or death occurs, the OIC shall be notified, and the OIC shall notify:
 - 1. WCSO Administration through chain of command, and
 - 2. the WCSO Investigations Bureau.
- C. Family notifications involving a death will be performed in accordance with WCSO Policy 41.10.
- D. The notification should be made in a timely manner.
- E. The notification should be documented including:
 - 1. Date,
 - 2. Time or notification,
 - 3. Person notified,
 - 4. Person making the notification, and
 - 5. The manner in which notification was made.

JH 01/02.08 **Procedure: Health Care Records**

- A. Content
 - 1. A record of all inmate medical contacts shall be entered into CorEMR (or equivalent) and maintained through current programs

and technology. Where possible, medical records should be scanned for computer storage or, copied to microfilm as appropriate for paper reduction.

2. Inmate Medical Records shall contain but not limited to:
 - a. initial health screening forms;
 - b. medical and mental health evaluation reports as appropriate;
 - c. inmate sick call requests, as appropriate;
 - d. a chronological health record including:
 - 1). contacts with health care providers;
 - 2). findings, diagnoses, prescriptions, treatments, future treatment plans, and progress reports;
 - 3). the names of health care providers responsible for health care transactions;
 - 4). dates, times, and other information necessary to document the actions taken.
 - e. medication records, including:
 - 1). prescription and non-prescription drug information, i.e., drug identification, dosage, and frequency;
 - 2). dispensing information, i.e., when the Rx was supplied and by whom.
 - f. records relating to outside referrals for health care;
 - g. other information related to the inmate's health and health care.

B. Confidentiality

1. Access to Medical Records shall be governed by provisions of the HIPPA Law or other current laws or regulations.

2. Jail personnel shall be allowed information only to the extent that the information is needed for the staff member to properly complete required duties.

C. Disposition

1. Medical records may be released under GRAMA with the following consideration:
 - a. inmates may authorize the release of information from their medical record with written permission. The record itself remains the property of the WCCF.
 - b. Records released to another health care provider may be provided without charge.
 - c. Records authorized for release to non-health care providers should be assessed a charge to return the cost of making copies of the health care record consistent with Weber County Policy and Procedure.
2. Medical records shall be maintained and remain accessible for a period of not less than 7 years.
3. The disposal of Medical Records shall be accomplished in such a way as to maintain strict confidentiality.

JH 01/02.09 **Procedure: Notification to Contract Agencies**

A. Notification

1. When it becomes necessary to provide emergency medical treatment for an inmate housed at the WCCF by contract with outside agencies, ie., ICE, USMS, UDOC, etc., the WCCF shall notify the appropriate agency as soon as practical.
2. Notification shall be made to contract agencies when treatment is recommended that is not routine.

B. Pre-Approval

1. Prior authorization from contract agencies may be required for treatment of inmates housed for those agencies.

2. Unless emergent, prior to treating contract inmates, the Medical Unit shall obtain authorization to treat the inmate from the appropriate contract agency representative.
3. Documentation of the authorization to treat contract inmates shall be maintained in the inmate's medical file.

JH 01/02.10 Medical Experimentation

Inmates shall not be allowed to participate in medical, pharmaceutical, or cosmetic experiments or research. This is not intended to preclude an inmate from receiving a medical procedure not generally available but determined medically necessary by the health care provider.