

	<b>DEPARTMENT OF CORRECTIONS AND REHABILITATION</b> <b>CORRECTIONS ADMINISTRATION</b> <b>POLICY AND PROCEDURES</b>	<b>EFFECTIVE DATE:</b> <b>January 01, 2024</b>	<b>POLICY NO.:</b> <b>COR.10.E.01</b>
		<b>SUPERSEDES (Policy No. &amp; Date):</b> <b>COR.10.1E.01 (11/06/18)</b>	
	<b>SUBJECT:</b> <b>INFORMATION ON HEALTH SERVICES</b>		<b>Page 1 of 4</b>

## 1.0 PURPOSE

The purpose of this policy is to ensure that incarcerated individuals are informed, upon arrival at the facility, of the availability of health care services and how to access health care services.

## 2.0 SCOPE

This policy and procedure shall apply to all correctional facilities, their assigned personnel, and contract staff.

## 3.0 REFERENCES, DEFINITIONS & FORMS

### .1 References

- a. 29 U.S.C. §701 et seq., Rehabilitation Act of 1973, Section 504.
- b. Title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §12131-12134.
- c. 28 CFR Part 35, Americans with Disabilities Act of 1990, Title II Regulations, Part 35, Nondiscrimination on the Basis of Disability in State and Local Government Services.
- d. Department of Corrections and Rehabilitation, Policy and Procedures, COR.10.1A.01, Access to Care.
- e. Department of Corrections and Rehabilitation, Policy and Procedures, COR.14.27, Inmates with Disabilities.
- f. Standards for Health Services in Prisons. National Commission on Correctional Health Care, (2018).
- g. Standards for Health Services in Jails. National Commission on Correctional Health Care, (2018).
- h. Standards for Mental Health Services in Correctional Facilities. National Commission on Correctional Health Care, (2015).

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- i. Performance-based Standards and Expected Practices for Adult Correctional Institutions. The American Correctional Association. Standards: 5-ACI-6A-01, (2021)

.2 Definitions

- a. Access to Care: In a timely manner, a patient is seen by a qualified health care professional or qualified mental health professional, is rendered a clinical judgment, and receives the care that is ordered.
- b. Auxiliary Aids and Services: Aids, devices, or services that enable an incarcerated individual with a communication disability to have equal access to programs and services. Includes, but is not limited to: qualified interpreters on-site or through video remote interpreting (VRI) services; note takers, real-time computer-aided transcription (CART) services, written materials, exchange of written notes; telephone handset amplifiers, assistive listening devices and systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, including real-time captioning, voice, text, and video-based telecommunications products and systems, including text telephones (TTY), videophones, and captioned telephones; qualified readers, taped texts, audio recordings, Braille materials and displays, screen reader software; magnification software, optical readers, large print materials and other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing.
- c. Reasonable Modification: Modification of policies, practices, or procedures, or the manner in which tasks are completed that enables an individual with a qualified disability to participate in and receive the same benefits from a program or service, or to have the opportunity to receive the same benefit or service, unless to do so would result in a fundamental alteration in the nature of a program or activity, or result in undue financial and administrative burden on the department.
- d. Responsible Health Authority: The Clinical Services Administrator is the designated individual tasked with ensuring the organization and delivery of all medical and clinical services care in the facility.

.3 Forms

- a. DCR 0459, Health Services Brochure.

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#### **4.0 POLICY**

- .1 Upon arrival at the facility, incarcerated individuals shall be informed of the availability of health care services and how to access health care services.
- .2 Incarcerated individuals who have difficulty communicating shall be provided reasonable accommodations to assist in understanding how to access health care services.

#### **5.0 PROCEDURES**

- .1 The Responsible Health Authority (RHA) and the facility Warden shall ensure that a sign explaining how to access health care services is posted in the intake/processing area.
- .2 Within twenty-four (24) hours of arrival at the facility, incarcerated individuals are provided the Health Services Brochure [DCR 0459], which includes information about:
  - a. How to access emergency and routine medical, dental, and mental health services.
  - b. The fee-for-service program, if one exists.
  - c. The grievance process for health-related complaints.
- .3 Incarcerated individuals who have difficulty communicating (e.g., non-English speaking, intellectually or developmentally disabled, illiterate, mentally ill, visually impaired, or deaf), are provided auxiliary aids, services and/or reasonable modifications, in accordance with COR.14.27 (Inmates with Disabilities), to aid in understanding how to access health care services.

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APPROVAL RECOMMENDED:

*Stacy* JAN 0 1 2024  
Deputy Director for Corrections Date

APPROVED:

*26* JAN 0 1 2024  
DIRECTOR Date

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**DEPARTMENT OF PUBLIC SAFETY**  
**\*\*\*HEALTH CARE DIVISION\*\*\***



✦ The State of Hawaii requires that health care services be provided in prisons for incarcerated individuals. This does not mean that the service is free or that you will get every medical service you request.

✦ This pamphlet describes available health care services, medical fees you may be responsible for, and your rights as a patient.

✦ It is our goal to keep our patients healthy. It is your responsibility to participate in your continued good health by following instructions from the nurses or doctors related to your treatment. It is important that you follow any treatment plan or physical therapy ordered by the facility physician.

✦ It is important that you seek medical services when you need medical care. It is just as important not to seek medical attention when it is not needed.

✦ The doctor may determine that the medical service requested by you is not necessary. You have the option of paying a private provider to supply the service to you. Ask your module social worker to assist you with an appointment. You will be responsible for all of the cost.

✦ All intake screenings and exams are free. Examinations for work line placement and facility transfers are free. Management of chronic illnesses that include quarterly appointments and medication reviews, workshops or counseling are free. Screenings, test and vaccinations related to sexually transmitted diseases, Hepatitis B, HIV/AIDS and regularly scheduled tuberculosis tests are free. We encourage you to take advantage of these free services. Results are confidential.

✦ You will be living very closely with other individuals during your incarceration. It is important that you seek a medical slip to stay home from your assigned work line if you feel sick, so you do not spread germs associated with colds and the flu.

✦ You should not report to kitchen duty if you have a cough, rash, the whites of eyes appear yellow, or if you have a sore that is draining pus until you are cleared by the medical unit.

✦ Take daily showers and wash your hands before you eat and after using the bathroom. Do not share toothbrushes, do not drink from another person's cup, and do not exchange body fluids (spit, sperm, semen, blood) with another person. Tattoo kits are dangerous, and the sharp edge can spread Hepatitis or HIV.

✦ At initial intake or approximately 2 weeks from the start of your incarceration, you will be given a physical examination in the medical unit. After this first physical examination, you will receive a regularly scheduled physical examination according to your age. Scheduled physical examinations are free.

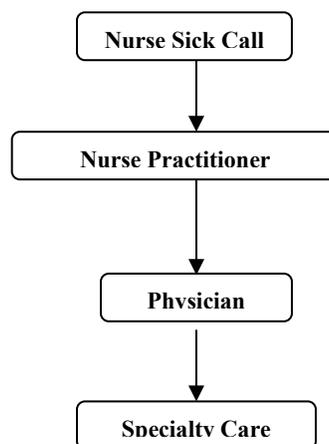
**✦ ACCESS TO HEALTH SERVICES ✦**

You may request health care services when you have a medical complaint by filling out a medical request form available from the module nurse or you may tell the nurse during nurse sick call rounds.

✦ If you have a medical emergency, inform the ACO and the Health Care Section will be promptly notified.

**✦ TRIAGE PROCEDURE ✦**

Your medical request will be screened by a nurse. The nurse will take care of your complaint or the nurse may refer you to a nurse practitioner or a physician. The physician may take care of your complaint or the physician may refer you to a specialist. Approval for specialty care is based on strict guidelines.



**✦ CLINICAL SERVICES ✦**

Clinical Services provides the necessary medical, dental and mental health services while you are in custody.

Medical  
Dental  
Psychology  
Psychiatry  
Prescription Medications  
Health Education

✦ Clinic hours are usually Monday through Friday. Hours will vary depending on the facility size and there may be evening clinics. Inmates in special holding units are seen seven days a week.

✦ Medical treatment is prioritized according to need. As an example, you may put in a request for service before your cell mate but if your cell mate's medical problem is more severe than yours, your cell mate may be seen before you.

**✦ INMATES WITH DISABILITIES ✦**

If you have a disability, you have the right to request reasonable accommodations. Please make your needs known upon intake and throughout your incarceration.

**DEPARTMENT OF PUBLIC SAFETY**  
**\*\*\*HEALTH CARE DIVISION\*\*\***

**\*\*\*FEMALE OFFENDERS-CONTRACEPTION\*\*\***

Upon intake, please notify the intake nurse regarding questions about emergency and continuation of contraception.

**\*\*\*DENTAL SERVICES\*\*\***

Within approximately 7 to 14 days from the date of your admission into jail/prison, you will receive a dental screening. The dental screening is free.

After the intake screening and examinations, pre-trial inmates and inmates sentenced to less than a year will receive emergency dental services only.

Dental treatment for inmates sentenced to more than a year, are prioritized according to need. Inmate requested elective services or services unrelated to a health care condition or chronic disease have a \$3.00 fee. You may access dental services by filling out a medical request form or by informing the nurse during sick call.

**\*\*\*MENTAL HEALTH SERVICES\*\*\***

If you want an appointment with a psychiatric social worker, clinical psychologist, or psychiatric doctor, you may put in a medical request or tell the nurse at sick call.

If you feel like hurting yourself or someone else, and you need to talk to the psychiatric or mental health staff, immediately tell the ACO, the module social worker, or the nurse at sick call.

**\*\*\*MEDICAL RECORDS\*\*\***

You may request copies of your medical records. Each sheet cost \$0.50 (cents) to copy. It is \$1.00 for a two-sided page. You must pay for the copies before they are Xeroxed and released to you.

Medical records specifically relating to allegations by you of incidents of injury or mistreatment will be released to internal investigators, the State's Attorneys and the facility Safety Officer.

If you claim a medical condition is related to or has caused you to commit a misconduct, the medical information related to your claim may be released to members of the Adjustment Hearing Board.

**\*\*\*BILLING FOR SERVICES\*\*\***

If you receive bills for services, ordered by the health care unit during your incarceration, please immediately forward the bills to the health care unit for payment. Do not hold on to them.

**\*\*\*GRIEVANCE\*\*\***

If you are dissatisfied with your medical, dental or mental health care, you may file a written grievance. All grievances must be filed within 14 days from the date on which the alleged complaint occurred. All grievances will be sent to facility Inmate Grievance Specialist to log and process.

**\*\*\*INMATE RESPONSIBILITY\*\*\***

Department required, doctor ordered medical services and referrals to a doctor by medical staff are free.

Non-prescribed or over-the-counter medications such as aspirin and cough drops must be purchased by you through the Inmate Store Order. Include these purchases in your budget.

In some facilities inmate store orders are taken once a month. In other facilities, it may be twice a month. Medical staff may supply you with non-prescription medication and medical supplies if you are admitted into a facility in-between the time store orders are taken. However, after that it is your responsibility to include these purchases in your store order. You may be charged the replacement cost of the item if medical services must dispense the item to you.

Prescribed medications will be issued to you at no cost. You will be required to medicate yourself according to the directions from the physician or the nurse. It is a severe offense to be in possession of medications prescribed to someone else. IT IS CONTRABAND. It is a severe offense to hoard your medication. Hoarded medication is CONTRABAND. It is a severe offense to use your medication as a trade item with other inmates. IT IS CONTRABAND.

Certain medications will be dispensed daily by the nurse. You must take the medication in the presence of the nurse.

You are responsible for the purchase of medical appliances such as eyeglasses and prosthesis. If you cannot afford to pay the entire cost of the needed item, the Health Care Section will purchase the item for you under a contract agreement signed by you, to pay the Health Care Section back on a monthly basis. The amount agreed upon will be what you can afford to pay monthly.

**\*\*\*INMATE RIGHTS\*\*\***

You have the right to confidential medical care

You have the right to discuss your condition in privacy with the nurse or doctor.

You have the right to know what your medical condition is.

You have the right to know what alternative treatments are available to you for your medical condition.

You have the right to know about your medications and what side effects the medication may have.

You may refuse treatment offered by the facility and you have the right to seek treatment from your private physician at your own expense.

The facility has a living will available and you have the right to determine how you want your care managed should you become terminally ill.

**\*\*\*QUESTIONS\*\*\***

If you have questions about information on this health care brochure, please direct them to the health care unit staff.