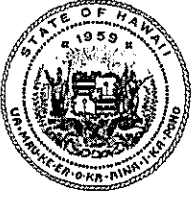


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|  | <b>DEPARTMENT OF CORRECTIONS<br/>AND REHABILITATION</b><br><b>CORRECTIONS ADMINISTRATION</b><br><b>POLICY AND PROCEDURES</b> | <b>EFFECTIVE DATE:</b><br>January 01, 2024                                      | <b>POLICY NO.:</b><br>COR.10.H.03 |
|   |  | <b>SUPERSEDES (Policy No. &amp; Date):</b><br>COR.10.1H.03 of November 13, 2015 |                                   |
| <b>SUBJECT:</b><br><b>MANAGEMENT OF HEALTH RECORDS</b>                            |  | Page 1 of 10  |                                   |

## 1.0 PURPOSE

To ensure the availability of medical health records to health care services staff.

## 2.0 SCOPE

This policy and procedure apply to all branch facilities and their assigned personnel.

## 3.0 REFERENCES, DEFINITIONS & FORMS

### .1 References

- a. Department of Accounting & General Services, State Archives Division, Records Management Manual For The State Of Hawaii, (2005).
- b. Hawaii Revised Statutes (HRS), Section 26-14.6, Department of Public Safety.
- c. HRS Section 92F-13(4), Government Records; Exceptions to General Rule.
- d. HRS Section 94-3, Disposal of Government Records Generally.
- e. HRS Section 325-101, Confidentiality of Records and Information [Part VI. HIV Infection, ARC, and AIDS].
- f. HRS Section 334-5, Confidentiality of Records [Mental Health, Drug Addiction and Alcoholism].
- g. HRS Section 353-A, Director of Corrections and Rehabilitation, Powers, and Duties.
- h. HRS Section 622-58, Retention of Medical Records.
- i. Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, 110 Stat. 1936, Codified at 45 CFR Part 160; 45 CFR Part 162; and 45 CFR Part 164.
- j. Standards for Health Services in Prisons. National Commission on Correctional Health Care, (2018).

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- k. Standards for Health Services in Jails. National Commission on Correctional Health Care, (2018).
- l. Standards for Mental Health Services in Correctional Facilities. National Commission on Correctional Health Care, (2015).

.2 Definitions:

- a. **Active Medical Record:** A record that represents an incarcerated individual's medical and mental health history and care from the moment of incarceration until released from custody. A medical record remains active for a period of six (6) months from the date of release.
- b. **Archived Record:** A medical record that has been inactive for more than three (3) years that is placed in storage and preserved for its continuing value for twenty-five (25) years.
- c. **Confidentiality:** To hold in confidence or to keep private and privileged identifiable health information pertaining to an individual.
- d. **Data Warehouse:** An archive data management system storing scanned medical records.
- e. **Dental Record:** A record representing a patient's dental history and care from the moment of incarceration until he/she is released from custody.
- f. **Electronic Medical Record (EMR):** A digital version of a patient's paper chart. EMRs are real-time, patient-centered records that make information available instantly and securely to authorized users.
- g. **Health Status Classification Report (HSCR):** A report generated at the time of the initial physical examination and determines whether an incarcerated individual is medically cleared to work or to transfer to another facility.
- h. **Inactive Medical Record:** The status of a medical record of a patient who is discharged, released on parole, or terminated from custodial supervision and has remained out the of the System for six (6) months to three (3) years.
- i. **Medical Record:** A record representing a patient's medical and mental health history and care from the moment of incarceration until they are released from custody.

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- j. Re-activated Medical Record: A change in status of a medical record from inactive to active when an offender is re-admitted to the System.
- k. System: Department of Corrections and Rehabilitation corrections system.

.3 Forms

- a. DCR 0486, Transfer of Medical/Dental Records (attached)

**4.0 POLICY**

.1 Record Access

- a. A medical record is created upon initial intake into the system and is maintained and updated with every subsequent readmission for each incarcerated individual admitted into the System.
- b. The health record shall be maintained in an electronic format that shall be accessible at each correctional facility.
- c. A standardized system of record identification and filing shall be used to archive paper records to allow for rapid filing and retrieval until such time as all paper records are electronically archived.

.2 Record Archiving

- a. Archived records shall be filed using a standardized system for record identification and retrieval.
- b. Inactive medical records shall be stored separately from active medical records. Paper records are scanned into the EMR and will be considered active until such time as one (1) year of electronic data has been entered into the EMR or scanned into data warehouse. Upon reaching the one-year mark, the paper record will be terminally assembled by health records staff for final electronic archiving.
- c. The Hawaii State Archives is the designated archive area for inactive medical records is Oahu Community Correctional Center (OCCC), Health Information Unit (HIU).

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- d. All laws, regulations, standards, confidentiality guidelines, and copy cost that apply to active medical records shall also apply to inactive, re-activated, and archived medical records.
- e. The senior Health Information employee in a facility's Health Information Unit (HIU) shall be the Custodian of Medical Records (CMR) for that facility. The Clinical Section Administrator (CSA) shall be the CMR in facilities that do not have Health Information Units or staff.
- f. Active, inactive, and archived paper medical records may be transferred and/or integrated to an electronic medium at any time.

**.2 Record Transfer**

- a. The information contained in a patient's medical record is confidential. Provisions shall be made to ensure confidentiality of the paper medical record during the transfer of a patient's paper record.
- b. The original paper medical and dental records shall be transferred simultaneously with the incarcerated individual from one facility Health Care Section to another within the System until the electronic medical record (EMR) has been active for the patient for at least one (1) year, at which time the paper record shall be either reviewed and assembled for final archiving by facility Health Record Staff (HRS). For those facility without Health Records Staff, the records shall be sent to OCCC health records for final assembly.
- c. All transfers of paper health records shall be performed in a manner that maintains confidentiality and utilizes a tracking system.
- d. Original paper records shall not be released to any department or agency outside of the System. Authenticated copies of both the paper and electronic records shall be released to agencies outside of the System, as allowed by law.

**5.0 PROCEDURES**

- .1 The medical record shall be accessible and retrievable by health care services staff directly involved in a patient's care and treatment.
- .2 An integrated EMR shall be initiated on each individual admitted to the System on the day of incarceration. Inactive paper records shall be re-activated until

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such time as there is one (1) year of medical information contained in the electronic medical record (EMR). Archived medical records shall be available via computer for person re-admitted to the System.

- .3 All patient encounters by health care staff shall be documented in the EMR.
- .4 The information contained in a patient's medical record is confidential.
- .5 Access to the EMR shall be secured by an individual employee-specific password. The password shall identify the user in the medical record. Passwords shall remain confidential and shall not be shared between staff.
- .6 The EMR shall have an automatic time out function requiring the employee to log into the system after a specified period of non-use. The electronic record time out function will require the user to log in again after a set lapse of disuse time.
- .7 Computers are not to be left unattended or unsupervised in rooms containing incarcerated individuals.
- .8 To maintain confidentiality of patient medical information, any computer left unattended shall have its screen minimized when staff leave the computer station.
- .9 Record Retention
  - a. The Oahu Community Correctional Center (OCCC) Health Information Unit (HIU) Record Librarian shall retain inactive medical records for a minimum of three (3) years from the date the incarcerated individual is released from custody. Dental records shall be retained for a minimum of seven (7) years from the date of an incarcerated individual's release.
  - b. Inactive medical records after the third (3) year of retention shall be expunged and scanned into an electronic data archive system. Inactive medical records dated prior to 2003 are stored in the State Records Center. After twenty-five (25) years the medical record shall be destroyed in accordance with guidelines set forth by the State of Hawaii Records Center.
  - c. Inactive dental records shall be stored immediately behind the inactive medical record retained by the OCCC HIU, until such time as the medical record is scanned into the electronic data archive system. The dental

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record shall be retained in the archive for up to four (4) additional years until reaching seven (7) years of inactive status after which dental x-rays shall be destroyed and the dental record shall be scanned into an electronic data archive system.

- d. All facilities shall have password-controlled computer access to view and print scanned medical records. Print access will be limited to CSAs, nursing supervisors, medical records or other designated personnel.
- e. Medical records of incarcerated individuals released from custody from the OCCC and the Women’s Community Correctional Center (WCCC) shall be sent to the OCCC HIU as soon as the record is complete. Other Community Correctional Centers shall retain the medical records of released incarcerated individuals for six (6) months from the date of release. At the end of the six (6) month period, if the incarcerated individual has not been re-admitted, the record shall be forwarded to the OCCC HIU Archive. The CMR shall check the medical record of an incarcerated individual released from custody for accuracy and completeness prior to sending the medical record to the OCCC HIU Archive.
- f. When an incarcerated individual is transferred to another correctional facility, a copy of the current health record or a comprehensive health summary accompanies the incarcerated individual
- g. When medical records are transferred to another facility, the sending facility shall place the medical and dental records, and medications in a secured envelop or box stamped, “Privileged Mail, Confidential Records, Deliver to Medical Staff At:” with the name of the receiving facility and the nurse manager, or HIU staff written in ink. The envelope or box shall also be stamped with the instructions to anyone finding a lost item to return it to OCCC. The Transfer of Medical/Dental Records form [DCR 0486] shall be completed and attached to the outside of the envelop or box and signed by each individual involved in the transfer of the records to ensure a chain of custody.
- h. OCCC HIU shall establish a medical record-tracking database, or shall have access to a database, that allows for the tracking of active, inactive, and archived records for retrieval purposes. The record’s identifying data shall be entered into the computerized database according to the year the record became inactive to facilitate the annual identification of records meeting criteria required for archive scanning.

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- i. The OCCC HIU shall be notified of the admissions of incarcerated individuals with inactive or records achieved prior to 2003 by the admitting facility's HI staff, CSA, or nursing staff. The existing inactive record shall be re-activated or records filed at the State Records Center shall be retrieved. The record-tracking database shall be updated when incarcerated individuals are transferred from one facility to another to show location of the medical record.
- j. If an incarcerated individual's record has been scanned, a new medical record shall be made and the outside cover shall be stamped or tagged, "PRIOR EXISTING ELECTRONIC RECORD" A copy of the DOC 0478 Health Maintenance Summary from the scanned record shall be placed in the new record.
- k. HIU staff shall retrieve records of readmitted incarcerated individuals, that are stored at the State Records Center, within seventy-two (72) hours of the incarcerated individual's admission to the facility. Screening forms and a new progress note shall be implemented pending retrieval of the original document.
- l. The CMR shall inform the Mental Health Section Administrator or PSW to notify the intake are, electronically or by memorandum, of any existing history of attempted suicide, or suicide or safety watch as documented in the prior health record.

**.10 Record Transfer**

- a. With the exception of an offender's status change from pre-trial to sentenced, the facility warden shall give the CSA a minimum of twenty-four (24) hours' notice of transfer for every ten names requiring a clearance. For proper identification of the candidate and appropriate clearance, the notice shall contain the following information:
  - 1. The incarcerated individual's name.
  - 2. SID number
  - 3. Current housing.
  - 4. Name of receiving facility and date of transfer.

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- b. Upon receipt of a notice to transfer from the facility, the following procedures shall take place:
1. The CSA or designee shall retrieve the medical record for review by an assigned nurse.
  2. Dental charts shall be reviewed for completeness, when appropriate, by State dental staff and shall be forwarded to clinical services in sufficient time to meet the transfer date and time.
  3. The nurse shall review the Health Status Classification Report, progress notes, consultations including those off-site, and injury reports for the previous six (6) months for each medical record identifying any health status changes updating the form as necessary. If there is a change in health status that precludes transfer, the facility classification officer shall be notified immediately. The nurse shall refer any indication in the record of mental disorder or mental health history to the Mental Health Section for clearance.
  4. An assigned nurse shall retrieve the incarcerated individual's Medication Administration Record and any nurse administered medication. Turning the items over to clinical services in sufficient time to meet the transfer date and time. Self-administered medications and/or over-the-counter medications are transferred with the incarcerated individuals' property for interdepartmental transfers. Mainland transfers require the self-administered medications be secured with prescribed medication.
  5. The nurse shall complete Form DOC 0401, Interfacility Discharge Summary, for each transferring incarcerated individual. The original DOC 0401 shall be placed inside the medical record and the copy shall be retained for thirty (30) days.
  6. When appropriate, the medical record is forwarded to the HIU for processing and a final completeness review.
  7. Inter-Departmental transfers: medical and dental records, and medications shall be placed in a secured envelop or box stamped, "Privileged Mail, Confidential Records, Deliver to Medical Staff At:" with the name of the receiving facility and the nurse manager, or HIU staff written in ink. The envelope or box shall also be stamped with the instructions to anyone finding a lost item to return it to Oahu

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Community Correctional Center. Form 0486, Transfer of Medical/Dental Records shall be completed and attached to the outside of the envelope or box and signed by each individual involved in the transfer of the records to ensure a chain of custody.

8. Mainland transfers: medical records shall be boxed in alphabetical sequence or grouped by alpha for large movements. The alpha letter(s) shall be written on the outside of the box. Medications, either prescribed or self-administered, shall be boxed separately from the medical records.
9. It shall be the responsibility of the Dental Unit to forward dental charts to the receiving facility if not reviewed and delivered to clinical services in time for the transfer deadline. It shall be the responsibility of the CSA to forward medications to the receiving facility if not delivered to clinical services in time for the transfer deadline.
10. Medical records not simultaneously transferred inter-departmentally with the incarcerated individual shall be secured and stamped, as above, and forwarded to the receiving facility as soon as possible after transfer using the most timely delivery process.
11. Upon receipts of the medical record, the receiving facility shall review the Interfacility Discharge Summary for the continuity of care of the patient, sign the appropriate line to acknowledge receipt of the information, and shall file the form under the Miscellaneous Index of the medical record.
12. The CSA of the receiving facility shall be responsible for initiating an incident report for any apparent breach of confidentiality if the seal is broken. The Clinical Services Branch Administrator shall be notified.
13. In cases of records that have been sent but not received by a facility, the sending facility shall initiate an investigation to track the record. The Clinical Services Branch Administrator shall be notified. The notice shall explain the circumstances and what efforts are being made to locate the record.


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APPROVAL RECOMMENDED:

 JAN 0 1 2024  
Deputy Director for Corrections Date

APPROVED:

 JAN 0 1 2024  
DIRECTOR Date

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