	<b>DEPARTMENT OF CORRECTIONS AND REHABILITATION</b> <b>CORRECTIONS ADMINISTRATION</b> <b>POLICY AND PROCEDURES</b>	<b>EFFECTIVE DATE:</b> January 01, 2024	<b>POLICY NO.:</b> COR.10.H.04
		<b>SUPERSEDES (Policy No. &amp; Date):</b> COR.10.1H.03 of October 15, 2015	
<b>SUBJECT:</b> <b>ACCESS TO CUSTODY INFORMATION</b>		Page 1 of 2	

## 1.0 PURPOSE

To ensure that criminal justice information that is pertinent to clinical decisions is available to treating providers.

## 2.0 SCOPE

This policy and procedure applies to all correctional facilities and their assigned personnel.

## 3.0 REFERENCES, DEFINITIONS & FORMS

### .1 References

- a. Department of Corrections and Rehabilitation (DCR), COR.10.1H.07, Release of Information from the Medical Record.
- b. Hawaii Revised Statutes, Section 26-14.6, Department of Corrections and Rehabilitation; Section 353-A, Director of Corrections and Rehabilitation, Powers and Duties.
- c. Health Insurance Portability and Affordability Act of 1996 (HIPAA), Public Law 104-191, 110 Stat. 1936, Codified at 45 CFR Part 160, 45 CFR Part 162, 45 CFR Part 164.
- d. Standards for Health Services in Prisons. National Commission on Correctional Health Care, (2018).
- e. Standards for Health Services in Jails. National Commission on Correctional Health Care, (2018).
- f. Standards for Mental Health Services in Correctional Facilities. National Commission on Correctional Health Care, (2015).

## 4.0 POLICY

- .1 Medical case managers or psychiatric social workers and case managers, may be allowed access to criminal justice information in the institutional record that is relevant to medical or mental health case management and/or discharge planning.

**NOT CONFIDENTIAL**


COR  P & PM	<b>SUBJECT:</b>  <b>ACCESS TO CUSTODY INFORMATION</b>	<b>POLICY NO.:</b> COR.10.H.04
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- .2 A psychiatrist or psychologist shall have access to the institutional records if the provider believes that pertinent institutional information is relevant to designing the appropriate mental health treatment plan or transfer or discharge summary.
- .3 References to facilities, institutional files, records and social workers includes the Federal Detention Center/Mainland Branch, its personnel and files.

**5.0 PROCEDURES**


- .1 Medical case managers and psychiatric social workers and case managers shall request institutional record reviews through the facility staff member appointed by the Warden to control access to incarcerated individual records.
- .2 Medical and mental health staff who are authorized access under this policy shall follow all procedures required by the institution when requesting criminal justice information from the institutional file.

APPROVAL RECOMMENDED:

  
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Deputy Director for Corrections

JAN 0 1 2024  
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Date

APPROVED:

  
\_\_\_\_\_  
DIRECTOR

JAN 0 1 2024  
\_\_\_\_\_  
Date

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