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Section-14 Health Services	OP-140117	Page: 1	Effective Date: 09/25/2018
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Joe M. Allbaugh, Director Oklahoma Department of Corrections		Signature on File	

Access to Health Care

The Oklahoma Department of Corrections (ODOC) ensures that every inmate has unimpeded access to health care (2-CO-4E-01, 4-ACRS-4C-01M). Continuity of care is provided from admission to transfer or discharge from the facility, including referral to community-based providers when indicated. (4-4347) Health related services are provided in a timely manner.

I. Definitions

A. Health Care Provider

Health care providers are defined as any person licensed in the delivery of health care. For the purpose of establishing defined duties, the following language will be used:

1. Health Care Provider

Includes physicians, dentists, physicians' assistants, advanced practice nurses, and others who, by virtue of their education, training, credentials, and experience, are permitted by law within the scope of their professional practice statutes to provide medical care for inmates.

2. Qualified Health Care Professional (QHCP)

Includes all health care providers as well as registered nurses (RN), licensed practical nurses (LPN), certified medication aides (CMA) and others who, by virtue of their education, training, credentials and experience, are permitted by law within the scope of their professional practice statutes to perform clinical duties for inmates.

B. Health Care Staff

Includes all QHCPs as well as medical administrative and support staff.

C. Qualified Mental Health Professional (QMHP)

Includes psychiatrists, psychologists, psychiatric social workers, psychiatric nurses, and others who by virtue of their education, training, credentials, and experience are permitted by law within the scope of their professional practice statutes to evaluate and provide mental health care for inmates.

D. Inmate/Staff Health Care Encounter

Contact between an inmate and a QHCP or QMHP who has primary responsibility for assessing and treating the inmate for a given contact.

II. Inmate Orientation (4-4344M 4-4281-1M, 4-ACRS-4C-01M)

A. Participation

1. Upon arrival at ODOC and/or assignment to a facility, the following information is communicated to all inmates, both orally and in writing, and in a language clearly understood by the inmate:

a. How to access health services;

- b. How to access the grievance system in accordance with [OP-090124](#) entitled “Inmate/Offender Grievance Process”; and (4-4344M)
 - c. Sexual abuse/assault including:
 - (1) Prevention/intervention;
 - (2) Self-protection;
 - (3) Reporting sexual abuse/assault; and
 - (4) Treatment and counseling. (4-4281-1M)
2. Information regarding the medication administration system and copayments will be provided during orientation.
 3. An in-depth medical orientation session will be provided during the initial reception process and when an inmate is transferred to another facility in accordance with [OP-060201](#) entitled “Initial Reception of Inmates.”

B. Format

All orientation sessions will be presented in an oral format by health care staff and will include: (4-4344M)

1. A written instructional brochure/handout will be provided to each inmate. The brochure will include information on the Prison Rape Elimination Act (PREA), sick call process, clinic hours etc. The information will be reviewed annually and updated as needed. (4-4344M)
2. An explanation of the effect of the HIPAA (Health Insurance Portability and Accountability Act of 1996) law, regarding the release of protected health information contained in an inmate’s health record.
3. Appropriate assistance will be provided to inmates who are unable to comprehend the material presented because of language barriers, illiteracy, hearing impairments, developmental disabilities, or mental illness. (4-4344M)

III. Medical Access Program Components

A. Emergency Care

Emergency care will be provided in accordance with [OP-140118](#) entitled “Emergency Care.”

B. Sick Call

1. Availability

Sick call will be available to all inmates to initiate requests for health services on a daily basis. Requests will be triaged daily by a RN or a LPN. A priority system will be used to schedule clinic appointments. Clinical services will be available to inmates daily and will be performed by a health care provider, RN, LPN or QMHP. (4-4346)

2. Requests

- a. All sick call requests must be submitted to the facility's health services unit or medical host facility, using the "Request for Health Services" form ([DOC 140117A](#), attached).
- b. A "Request for Health Services" form is not required when an inmate returns to a clinic to receive medical, dental, or optometric follow-up treatment that was previously recommended by a health care provider.
- c. Sick call request forms will be readily available and accessible to all inmates at designated locations within facilities.
- d. Each facility's health services unit will designate a process for collecting/receiving sick call request forms. This process may require inmates to submit the request forms in person to the health services unit at designated times, via a secure collection box or electronic transmission.
- e. Health care staff will record the date of receipt and will affix his/her initials to all sick call request forms received.
- f. Upon receipt of "Request for Health Services" forms, a RN or a LPN, will review and prioritize (triage) and schedule clinic appointments. If during the triage process an emergent need is identified, a health care assessment will be conducted immediately.
- g. Inmates initiating a sick call request may cancel an appointment prior to the date/time of the scheduled appointment.

3. Log

- a. Each health services unit will maintain a "Sick Call Log"

([DOC 140117B](#), attached). All "Request for Health Services" forms received will be documented on the "Sick Call Log."

- b. The sick call log will be secured and maintained by the facility's correctional health services administrator (CHSA) or designee. Monthly statistics will be compiled from the sick call log.

C. Medication Refills

All medication refill requests will be submitted in accordance with [OP-140130](#) entitled "Pharmacy Operations."

D. Cost of Health Care (4-4345)

1. All inmates will be notified in writing, at the time of admission, of the guidelines of the copayment system. (4-4345)
2. Inmates will not be refused health care because of their financial status. However, inmates will be charged a \$4.00 copayment fee for each inmate-initiated request for medical, dental or optometric service, and \$4.00 for each medication issued during an inmate-initiated clinic visit.
3. A co-pay of \$25 per emergency room visit will be assessed for any inmate assigned to work release, if the emergency room visit does not result in a hospital admission.
4. Inmates will not be charged a \$4.00 copayment fee for the following:
 - a. Physical examinations and health assessments;
 - b. Health care provider- initiated health care services, including any medical, dental, and optometric follow-up treatment, that may be recommended by a health care provider, and can be scheduled on a subsequent clinic visit;
 - c. Laboratory services;
 - d. Radiological services;
 - e. Immunizations, tuberculosis screening, vaccinations, and any other treatment prescribed for public health concerns;
 - f. Mental health services;
 - g. Initial health assessments conducted during the reception process at the assessment and reception center;

- h. EKG's, dressing changes, and other treatments prescribed by a healthcare provider;
- i. Prenatal, perinatal, and clinically indicated postpartum care;
- j. Health care provider initiated medical referrals to outside public or private health care facilities;
- k. Initial acute care treatment rendered for an on-the-job injury;
- l. Prescription medications prescribed for asthma, coronary artery disease, chronic obstructive pulmonary disease, diabetes mellitus, Hepatitis C, HIV, hypertension, seizures, conditions or diseases that are persistent and/or long lasting, and mental health disorders. Specific prescription medications which are exempt from a \$4.00 copayment fee are listed in "Medications Exempted from \$4.00 per Medication Co-pay" ([Attachment A](#), attached); and
- m. Emergency or trauma care (i.e., life threatening medical conditions).

E. Waiver

A waiver is the intentional and voluntary giving up of something; the act of choosing not to use or require something that you are allowed to have or that is usually required; an official document indicating that someone has given up or waived a right or requirement.

1. A "Waiver of Treatment/Evaluation" ([DOC 140117D](#)) form does not need to be signed for:
 - a. Vital sign refusal (BP, pulse, respirations, temperature, FSBS, weight, height, etc.);
 - b. No show for a self-initiated sick call (most illnesses are self-limiting);
 - c. No-show for pill line – Refer to [OP-140143](#) entitled "Nursing Services" for monitoring adherence; or
 - d. For every time a patient refuses a dose of medication - Refer to [OP-140143](#) entitled "Nursing Services" for monitoring adherence.
2. Procedure for Obtaining a Waiver

- a. When an inmate refuses treatment or procedure prescribed by a health care provider, a RN or a LPN will interview the inmate to determine the reason(s) for refusal. Based upon the results of the interview, the interviewer will either:
 - (1) Provide appropriate counseling, support and/or education;
 - (2) Refer the inmate to the prescribing medical provider for further explanation and education; or
 - (3) Refer the inmate to a QMHP for further assessment and counseling.
- b. If the inmate refuses to report for the interview appointment, health care staff will notify the facility head or designee to request that the inmate be escorted and/or laid in from work assignment to complete the interview/counseling.
- c. If at anytime during this process, any health care staff has reason to believe that due to mental illness or defect, the inmate lacks the capacity to make a reasonable decision about consent or refusal of treatment, then he/she will be referred to a QMHP for an evaluation of competency. If the inmate is found to be incompetent to waive treatment and is in need of further mental health evaluation and/or intensive treatment, then he/she will be transferred to an appropriate mental health unit until such time that he/she regains competency.
- d. If after all the above efforts have been exhausted and the inmate continues to refuse or waive treatment, a RN or a LPN or QMHP will complete the "Waiver of Treatment" form ([DOC 140117D](#), attached) and obtain the required signatures. If the inmate refuses to sign the waiver form, it will be so noted in writing by the primary witness (health care staff) and will be cosigned by a secondary witness (any correctional staff).
- e. Court Intervention

When a facility's health care provider determines that a life threatening situation exists, as a result of an inmate initiating a waiver of treatment, the facility's CHSA, the chief medical officer (CMO), and facility head will be notified immediately. The CMO or designee, in conjunction with the general counsel, will determine the necessity of seeking a court order allowing ODOC to initiate life-saving measures.

F. Nursing Practice Protocols (4-ACRS-4C-17)

1. A RN or a LPN will use ODOC nursing practice protocols in accordance with MSRM 140117-01 entitled "Nursing Practice Protocols," when conducting inmate assessments. Protocols will be readily available to all ODOC and private prison nursing staff.
2. The CMO will review and approve all nursing protocols, prior to implementation.

G. Healthcare Provider Appointments

1. A RN or a LPN will conduct the initial assessment to determine if there is a medical necessity for the inmate to be referred to a medical provider. Nursing practice protocols may be utilized when appropriate.
2. An advanced practice nurse or physician assistant will refer an inmate to a physician, if the inmate requires care or treatment that is beyond his/her scope of practice.
3. An inmate will be referred to an ODOC or private prison physician for further evaluation if the inmate has been examined by an advanced practice nurse or physician assistant twice for the same complaint and has not demonstrated clinical improvement.

H. Inmate/Medical Staff Health Care Encounter

1. Inmate observations, vital signs, and other pertinent information obtained during an inmate/staff encounter will be documented in the inmate's electronic health record, in accordance with [OP-140106](#) entitled "Healthcare Record System."
2. Vital signs will be obtained during an inmate/medical staff encounter. However, vital signs may be excluded during encounters that involve scheduled blood pressure checks, breathing treatments, fingerstick blood sugar checks, lab draws, mental health unit rounds, medication administration at pill line, segregated housing unit rounds, and during therapeutic interventions.
3. Inmate medical staff encounters, including medical and mental health interviews, examinations and procedures, will be conducted in a setting that respects the inmate's privacy, and will be consistent with necessary security requirements. (4-4403)

I. Outside Specialty Care (4-4347)

Inmates whose medical needs require health-related services not available at a correctional facility may be referred to an outside health care provider in accordance with [OP-140121](#) entitled “Outside Providers for Health Care Management.”

J. Dental Care

The dentist on-duty, health care provider, RN or LPN will be responsible for assessing an inmate who presents with symptoms of a dental emergency, in accordance with [OP-140124](#) entitled “Dental Services.”

K. Mental Health Care (4-ACRS-4C-15)

Inmates will have access to mental health services in accordance with [OP-140201](#) entitled “Mental Health Services, Duties and Responsibilities.”

L. Laboratory Services

Laboratory services will be provided in accordance with [OP-140132](#) entitled “Laboratory, Radiology, and Optometric Services.”

M. Pregnancy Services

The management of pregnancy will be accordance with MSRM 140117.02 entitled “Management of Pregnancy.”

N. Chronic Illness Management Clinics

Inmates identified with certain chronic illnesses will receive medical treatment in accordance with [OP-140137](#) entitled “Chronic Illness Management.”

O. Missed Clinic Appointments

1. Inmate-Initiated Request for Appointment

If an inmate misses a clinic appointment scheduled at his/her request (i.e., via sick call), the appointment will be documented as “No Show” (NS) indicating that he/she did not attend the scheduled clinic appointment. The inmate may submit a new “Request for Health Services” form ([DOC 140117A](#)) to reschedule the appointment if desired.

P. Provider-Initiated Request for Appointment

1. If an inmate misses any aspect of chronic care or physical examination, the inmate will be rescheduled one time. If the inmate misses the rescheduled appointment, the inmate will be required to report to medical for counseling of potential risks of foregoing

therapy by the health care provider or RN/LPN. If the inmate does not report to medical when scheduled for counseling, this action may be handled as a disciplinary infraction. If the inmate refuses the chronic clinic or physical examination appointment, the inmate will complete the "Waiver of Treatment/Evaluation" (DOC 140117D) as stated in Section III. E. If in the health care provider's opinion the inmate's condition will deteriorate without medical intervention, previously prescribed medications may be continued.

2. If the inmate misses a health care provider initiated follow-up appointment, the health care provider will be notified to determine if the inmate needs to report to the clinic. If the health care provider determines that the inmate does not need to report to the clinic, a "Waiver of Treatment/Evaluation" ([DOC 140117D](#)) will not be required. Health care provider notification for "No Show for Follow-up Appointment" will be documented in the inmates EHR by health care staff.

Q. Segregation Status/Restrictive Housing (4-4400M)

1. Health care staff will be informed immediately when an inmate is transferred to segregation/restrictive housing. A review and assessment of the inmate's current health status will be conducted by a RN or a LPN within one working day. If the results of the screening by the RN or LPN indicate that the inmate is at imminent risk for serious self-harm, suffers from a serious mental illness, or requires emergency medical care, a health care provider, RN or LPN will provide assessment and treatment as required.
2. Upon entering a segregation/restrictive housing unit, the presence of a QHCP will be announced and recorded in the segregation/restrictive unit's security logbook.
3. The facility's health authority will determine the frequency of health care providers' visits to segregation/restrictive housing units.
4. Inmates participating in a Keep-On-Person (KOP) medication program will be required to relinquish all KOP medications when he/she is transferred to a segregation/restrictive housing unit. Relinquished medications will be returned to the appropriate health services clinic.
5. A QHCP will document all medications that are administered to an inmate residing in a segregation/restrictive housing unit, in accordance with [OP-140106](#) entitled "Healthcare Record System."
6. A QHCP will make daily rounds on segregation/restrictive housing units, unless medical attention is needed more frequently, to solicit health care requests, administer medications, and to identify any

changes in the inmate's health status. All identified health status changes will be documented in the inmate's health record in accordance with [OP- 140106](#) entitled "Medical Record System". Certified medication aides will document and report any inmate's health change to a RN, LPN or the health care provider. (4-4258)The QHCP who conducts rounds will document the date and time of each visit on the segregation/restrictive unit's "Individual Offender Segregation Log" ([OP-040204, Attachment D](#)) or "Individual Transit Detention Log" ([OP-040206, Attachment C](#)) and in accordance with [OP-040204](#) entitled "Segregation Measures" or [OP-040206](#) entitled "Transit Detention Units."

R. Transit Detention Units (TDU)

1. A QHCP will make daily rounds on transit detention units (TDU) unless medical attention is needed more frequently. Documentation of daily visits including date and time will be on the transit detention unit's "Individual Transit Detention Log" ([OP-040206, Attachment C](#)).
2. All inmate medications will be relinquished to facility staff upon transfer.
3. Non-medical facility staff will continue to issue medications to the inmates in TDU in accordance with [OP-140143](#) entitled "Nursing Service."
4. Medication issued in TDU will be documented on [DOC 140130J](#) entitled "Community Corrections – Supervised Medication/Syringe Count Log or Supervised TDU Medication Log."

IV. References

Policy Statement No. P-140100 entitled "Offender Medical, Mental Health and Dental Care"

OP-040204 entitled "Segregation Measures"

OP-040206 entitled "Transit Detention Units"

OP-060201 entitled "Initial Reception of Inmates"

OP-090124 entitled "Inmate/Offender Grievance Process"

OP-140106 entitled "Healthcare Record System"

OP-140118 entitled "Emergency Care"

OP-140121 entitled "Outside Providers for Health Care Management"

OP-140124 entitled "Dental Services"

OP-140130 entitled "Pharmacy Operations"

OP-140132 entitled "Laboratory, Radiology, and Optometric Services"

OP-140137 entitled "Chronic Illness Management"

OP-140143 entitled "Nursing Service"

OP-140201 entitled "Mental Health Services, Duties and Responsibilities"

Medical Services Resource Manual 140117-01 entitled "Nursing Practice Protocols"

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V. Action

The chief medical officer is responsible for compliance with this procedure.

The director of Health Services is responsible for the annual review and revisions.

Any exceptions to this procedure require prior written approval from the agency director.

This procedure is effective as indicated.

Replaced: Operations Memorandum No. OP-140117 entitled "Access to Health Care" dated May 16, 2017

Distribution: Policy and Operations Manual
Agency Website

<u>Referenced Forms</u>	<u>Title</u>	<u>Location</u>
DOC 140117A	"Request for Health Services"	Attached
DOC 140117B	"Sick Call Log"	Attached
DOC 140117C	"Fecal Occult Blood Testing Education/Acceptance/Waiver"	Attached
DOC 140117D	"Waiver of Treatment"	Attached
DOC 140130J	"Community Corrections Supervised Medication/Syringe Count Log"	OP-140130
<u>Attachments</u>	<u>Title</u>	<u>Location</u>
Attachment A	"Medications Exempted from \$4.00 per Medication Co-pay"	Attached
Attachment B	"Medical Orientation"	Attached
Attachment B-1	"Medical Orientation" (Spanish)	Attached
Attachment D	"Individual Offender Segregation Log"	OP-040204
Attachment C	"Individual Offender Transit Detention Log"	OP-040206

