



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

Policy No. DOC 4.5.2	Subject: <b>RESPONSIBLE HEALTH AUTHORITY</b>
Chapter 4: FACILITY/PROGRAM SERVICES	Page 1 of 3
Section 5: Clinical Services	Effective Date: Oct. 1, 1997
Department Director Signature: /s/ Brian Gootkin	Revised: 4/19/2021
Medical Director Signature: /s/ Dr. Paul Rees	
Clinical Services Division Administrator Signature: /s/ Connie Winner	

**I. POLICY**

The Department of Corrections will provide constitutionally mandated, quality health care to offenders in Department and contracted secure care facilities.

**II. APPLICABILITY**

All secure facilities Department of Corrections owned and contracted, as specified in the contract.

**III. DEFINITIONS**

**Clinical Policy Team** – A team which may consist of the Department Clinical Services Division administrator, bureau chief, medical director, dental director, managed care RN, facility or program designated health authority, mental health or psychiatric representative, and facility or program administrator.

**Clinical Services** – All necessary services including medical, mental health, dental and vision care.

**Clinical Services Division (CSD)** – The division that oversees all medical, mental health, dental and vision services for all offenders in the custody of the Department in secure and contracted facilities.

**Clinical Services Division Administrator** – The administrator responsible for overseeing the Clinical Services Division and is the designated Responsible Health Authority for the Department.

**Designated Dental Authority** – The dental clinician (DMD or DDS) designated by the Clinical Services Division Administrator to oversee dental services.

**Designated Health Authority** – Regardless of local title, the individual at the facility or program level who is responsible for health services, as designated by the Responsible Health Authority.

**Designated Mental Health Authority** – Regardless of local title, the individual at the facility or program level who is responsible for mental health services, as designated by the Responsible Mental Health Authority.

**Drug Formulary** – A written list of prescription and nonprescription medications that are ordinarily available to authorized prescribers, including consultants, working for the facility.

**Health Care** – The sum of all actions, preventive and therapeutic, taken for the physical and mental

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well-being of a population. Health care includes medical, dental, mental health, nutrition, and other ancillary services, as well as maintaining clean and safe environment conditions.

**Health Care Staff** – Includes qualified health care professionals and non-licensed health care staff (e.g., medical records staff, health care aides) responsible for offender health care administration and treatment.

**Medical Director** – The physician(s) designated by the Clinical Services Division administrator to oversee clinical practice decisions requiring medical judgments for offenders under Department jurisdiction.

**Qualified Health Care Professionals** – Physicians, physician assistants, nurses, nurse practitioners, dentists, mental health professionals and others who by virtue of their education, credentials, and experience are permitted by law to evaluate and care for offenders, including contracted or fee-for-service professionals.

**Responsible Health Authority** –The Clinical Services Division administrator who oversees all levels of health care and assures quality, accessible and timely clinical services for offenders. The individual is appointed by the Department director.

#### **IV. DEPARTMENT DIRECTIVES**

##### **A. Clinical Policy Team**

1. The Department clinical policy team will:
  - a. develop, revise, and monitor the implementation of Department clinical services policies, procedures, protocols, and managed care policies;
  - b. review and approve each facility or program’s clinical service procedures, and protocols;
  - c. oversee the drug formulary;
  - d. make medical, dental, vision, and mental health administrative judgments based on policies and protocols;
  - e. provide policy guidance and oversight to offender health care professionals;
  - f. monitor the level and quality of facility and program clinical services to ensure compliance with all applicable standards;
  - g. oversee the Department’s health care-related, continuous quality improvement program;
  - h. provide professional direction and leadership; and
  - i. guide the Department’s compliance with adult and youth health-related legal standards.

##### **B. Health Authority Requirements**

1. Written job descriptions or contracts will govern the responsible health authority and medical director responsibilities.
2. Written job descriptions or contracts will govern the medical and mental health bureau chiefs’ responsibilities.

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3. The responsible health authority, medical and mental health bureau chiefs, and medical director will coordinate with each other and health care staff to ensure adequate, quality, accessible, and timely clinical services for offenders.
4. The medical and mental health bureau chiefs will:
  - a. serve as a liaison between the CSD and the designated health and mental health authorities at facilities to ensure health care services are rendered in accordance with Department policy and national standards;
  - b. evaluate facility health care needs;
  - c. regularly report facility-specific health care information to the CSD administrator; and
  - d. participate in strategic planning and program development as requested by the CSD administrator.
5. The medical director will:
  - a. render the final medical judgments for offenders under Department jurisdiction; and
  - b. review community health care provider treatment recommendations.
6. The designated health and mental health authorities on-site at the facility will:
  - a. assume the responsibility to direct the medical or mental health care of inmates in collaboration with the medical director and/or other qualified health care professionals;
  - b. function within the guidelines of their respective scopes of practice; and
  - c. not place restrictions on a physician's routine practice of medicine.
7. Department qualified health care professionals will:
  - a. function within the guidelines of their respective scopes of practice; and
  - b. will not place any restrictions on a physician's routine practice of medicine.

**V. CLOSING**

Questions concerning this policy should be directed to the Clinical Services Division administrator or designee.

**VI. REFERENCES**

- A. *ACA Standards for Juvenile Correctional Facilities, 4<sup>th</sup> edition*
- B. *P-A-02; National Commission on Correctional Health Care Standards for Health Services in Prisons, 2018*
- C. *MH-A-01, MH-A-02; National Commission on Correctional Health Care Standards for Mental Health Services in Correctional Facilities, 2015*
- D. *Y-A-02; National Commission on Correctional Health Care Standards for Health Services in Juvenile Detention and Confinement Facilities, 2015*

**VII. ATTACHMENTS**

None