



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

Policy No. DOC 4.5.7	Subject: OFFENDER WORKERS IN HEALTH CARE UNITS
Chapter 4: FACILITY/PROGRAM SERVICES	Page 1 of 2
Section 5: Clinical Services	Effective Date: Aug. 1, 1997
Department Director Signature: /s/ Brian Gootkin	Revised: 4/19/2021
Medical Director Signature: /s/ Dr. Paul Rees	
Clinical Services Division Administrator: /s/ Connie Winner	

I. POLICY

The Department of Corrections limits the use of offenders as health care workers in Department and contracted facility health care and mental health care units to assignments for which they are appropriately trained and supervised.

II. APPLICABILITY

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

III. DEFINITIONS

Activities of Daily Living – Activities usually performed in the course of a normal day in a person’s life, such as ambulation, bathing, dressing, feeding, and toileting.

Chief of Security – The staff person, regardless of local title (security major, director of operations), designated by the facility administrator to manage the facility security program.

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.

Reentry Health Care Training Program – Established partnerships with community, state, or federal agencies that guide the course curriculum for inmate training in health care related job skills.

IV. DEPARTMENT DIRECTIVES

A. Offender Assignments

1. Adult offenders, if appropriately trained and supervised, may be permitted to:
 - a. provide maintenance duties in the facility health care unit;
 - b. handle biohazardous wastes (e.g., dirty linens or utensils);
 - c. participate in peer health-related programs; or reentry health care training programs;
 - d. assist patients in activities of daily living (except for infirmary level care); and
 - e. participate in hospice programs after documented training.

2. Adult offenders will not be permitted to:
 - a. make treatment decisions or provide patient care;
 - b. distribute or collect sick call slips;
 - c. schedule appointments;

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- d. transport or view health records;
 - e. handle or administer medications;
 - f. handle surgical instruments; and
 - g. substitute for health care staff.
3. Adult offenders in peer-health related programs are permitted to:
 - a. assist offenders in activities of daily living (except for infirm-level care offenders);
 - b. participate in a buddy system for nonacute suicidal offenders after documented training; and
 - c. participate in hospice programs after documented training.
 4. The designated health authority, classification staff, and chief of security, or designees, will conduct periodic reviews of adult offender worker placements in health care units.
 5. Youth offenders are prohibited from performing health care duties in youth facilities in accordance with *ACA Performance-based Standard 4-JCF-4C-57 and the National Commission on Correctional Health Care Standards for Health Services in Juvenile Detention and Confinement Facilities*.

B. Security Precautions

1. Each facility will develop security procedures to ensure that offenders do not have access to:
 - a. needles;
 - b. syringes;
 - c. sharps;
 - d. surgical instruments;
 - e. medications;
 - f. offender health care records or files; and
 - g. other prohibited items.
2. Security precautions will include:
 - a. appropriate inventory procedures; and
 - b. required supervision and routine searches of all adult offenders working in the health care unit.
3. Offenders have the right to refuse care delivered by offenders who are in reentry health care training programs.

V. CLOSING

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

VI. REFERENCES

- A. 4-4393; *ACA Standards for Adult Correctional Institutions, 5th Edition*
- B. 4-JCF-4C-57; *ACA Performance-based Standards for Juvenile Correctional Facilities, 2009*
- C. P-C-06; *National Commission on Correctional Health Care Standards for Health Services in Prisons, 2018*
- D. MH-C-06; *National Commission on Correctional Mental Health Services in Correctional*

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E. Y-C-06; National Commission on Correctional Health Standards for Health Services in Juvenile Detention and Correctional Facilities, 2015

F. Montana Nurse Practice Act

VII. ATTACHMENTS

None