



## POLICY DIRECTIVE

Policy:	<b>DOC 4.5.07 OFFENDER WORKERS IN HEALTH CARE UNITS</b>
Effective Date:	08/01/1997 <span style="float: right;">Page 1 of 2</span>
Revision Date(s):	04/19/2021; 04/24/2026
Department Director Signature:	/s/ Eric Strauss, Director
Medical Director Signature:	/s/ Dr. Paul Rees, MD
Health Services Bureau Chief Signature:	/s/ Cynthia McGillis-Hiner, RN, MSN

### I. POLICY

The Department 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 owned and contracted, as specified in the contract.

### III. DEFINITIONS (see Glossary)

### IV. REQUIREMENTS

#### 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 (for example, 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;
  - d. transport or view health records;
  - e. handle or administer medications;
  - f. handle surgical instruments; or
  - 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 infirmary-level care offenders);
  - b. participate in a buddy system for nonacute suicidal offenders after documented training;and

- c. participate in palliative care 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 processes 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 about this policy should be directed to the Health Services Bureau Chief.

## **VI. REFERENCES**

- A. 4-4393; *ACA Standards for Adult Correctional Institutions, 5<sup>th</sup> Edition*
- B. 4-JCF-4C-57; *ACA Performance-based Standards for Juvenile Correctional Facilities, 5<sup>th</sup> Edition*
- 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 Facilities, 2015*
- E. Y-C-06; *National Commission on Correctional Health Standards for Health Services in Juvenile Detention and Correctional Facilities, 2022*
- F. *Montana Nurse Practice Act*