

INMATE MEDICAL CARE (DETENTION)

OBJECTIVES

- Staff will learn basic requirements for providing inmates with access to medical care
- Staff will review and learn the facility's policies governing inmate medical screening and treatment

Failure to provide adequate medical care is a leading cause of litigation in most detention facilities. The 8th Amendment to the United States Constitution protects citizens from cruel and unusual punishment. In 1976 the United States Supreme Court held that deliberate indifference to an inmate's serious medical needs constitute unnecessary and wanton infliction of pain in violation of the Eighth Amendment. *Estelle v. Gamble*, 429 U.S. 97 (1976).

Federal courts have held that the minimum requirements for mental health services in correctional settings include screening, treatment by qualified mental health staff, suicide prevention and the appropriate use of behavior-altering medications. *Ruiz v. Estelle*, 503 F. Supp. 1265 (S.D. Tex. 1980). When detention staff fails to provide access to constitutionally required medical and mental health care they and their organization may be subject to civil liability for the resulting damages.

MEDICAL SCREENING

An essential component of any detention operation is effective medical screening of individuals booked into the facility. Many individuals entering the detention system have chronic diseases and substance abuse problems for which they have received inadequate care. The medical screen should identify which individuals need immediate medical attention, care for chronic conditions, substance abuse treatment, dental services, prescription medication etc. The medical screen should also identify which inmates have infectious conditions that need to be addressed.

MENTAL HEALTH SCREENING

Another critical component of the screening procedure for individuals booked into the facility is the mental health screen. The questions asked during this screening should identify individuals who may be at risk for harming themselves as well and those in need of ongoing mental health medication and treatment.

The initial medical and mental health screenings may be performed by health care staff or specially trained detention officers. The key is prompt, appropriate referral when warranted.

COMPREHENSIVE HEALTH APPRAISAL

Inmates who reside at the facility for an extended period of time should receive a complete physical and comprehensive mental health assessment to identify and address medical and/or mental health needs that were not identified in the initial screening process. National standards provide that this comprehensive assessment be given within 2 weeks to any individual confined at the facility for 14 days or longer.

SICK CALL

Sometimes the need for inmate medical care arises after booking. The facility should have a system through which inmates can request medical or mental health attention. The system should allow inmates to request health care confidentially. Health requests should be reviewed and responded to in a timely fashion by qualified health care professionals or, in facilities where qualified health care staff is not on duty 24 hours per day, health-trained detention staff.

Actual evaluation and treatment of the inmate can occur either on or off site. National standards provide that sick call (the evaluation and treatment of an ambulatory patient in a clinical setting by a qualified health care professional) should be held a least 2 days per week in facilities with fewer than 100 inmates; at least 3 days per week in facilities with 101-200 inmates; and at least 5 days per week in facilities with more than 200 inmates.

CONTINUITY OF CARE

The concept of continuity of care includes continuing appropriate care and medication that was initiated in the community prior to incarceration; carrying out diagnostic and other health services ordered by clinicians; and discharge planning. Treatment, medication, therapies, and referrals ordered by the clinician should be documented and carried out. When treatment is changed the clinical justification for the change should be noted and detention staff informed as necessary to insure that the ordered care is provided. For planned discharges health staff should arrange to provide a medically appropriate supply of current medication to the inmate to serve as a bridge until the inmate can be seen by a community health care provider. Inmates with critical medical or mental health needs should be given referrals or appointments with community providers.

SUICIDE PREVENTION AND INTERVENTION

Suicide is the number one cause of death in American jails and detention facilities. Intake screening for suicide risk should include inquiries into the individual's past suicide attempts, their history of mental health treatment/hospitalization, recent significant loss, close friends or family who have attempted suicide and whether they are thinking of

hurting or killing themselves. Individuals who have never been incarcerated before, who hold a position of prominence in the community, who are being charged with particularly heinous crimes, and/or are under the influence of drugs or alcohol may be more likely to attempt suicide.

Although the first 24 hours of incarceration are considered the most dangerous for suicide, inmates can become suicidal at any point in their confinement. This is particularly true after adjudication, sentencing, after receiving bad news or suffering humiliation or rejection. Inmates who are suspected of being at risk for suicide should be placed on suicide watch and closely monitored until they can be evaluated by a mental health professional.

MEDICAL ACCESS CONSIDERATIONS

- All individuals booked into the facility must be screened for current and chronic medical needs.
- All individuals booked into the facility must be screened for suicide risk.
- All inmate contact staff must be attentive to the medical or mental health needs of inmates that develop during their confinement.
- Inmates must be informed about how to access medical care at the facility and must be given a reasonably prompt and private method for requesting medical attention.
- The detention facility must provide necessary treatment for serious health conditions.

POLICY

Discuss department policies and practices pertaining to inmate medical and mental health screening and care.

CLOSING

- *Encourage discussion about inmate access to medical mental health care and need for security and medical staff to work together.*