
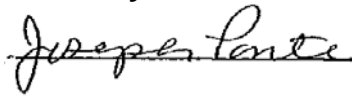


POLICY TITLE: ACCOMMODATIONS FOR PRISONERS WITH DISABILITIES OR OTHER SPECIAL NEEDS		PAGE <u>1</u> OF <u>4</u>
POLICY NUMBER: 18.12		
CHAPTER 18: HEALTH CARE SERVICES		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by Commissioner: 	PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: August 15, 2003	LATEST REVISION: February 19, 2013	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Adult Facilities

III. POLICY

It is the policy of the Department to ensure that any prisoner with a special need is given the opportunity to receive health care services addressing the special need. The Department shall also ensure that no prisoner with a disability is denied the opportunity to receive services or participate in programs on the basis of the prisoner's disability. The Department shall make reasonable accommodations for a prisoner with a disability, unless such accommodations impose an undue burden on the operation of the facility or pose a threat to safety or security. Health care services shall be provided in the most integrated setting possible, consistent with the special needs of the prisoner and safety and security.

IV. CONTENTS

Procedure A: Prisoners with Disabilities or Other Special Needs
 Procedure B: Special Needs Treatment Plans

V. ATTACHMENTS

None

VI. PROCEDURES

Procedure A: Prisoners with Disabilities or Other Special Needs

1. Prisoners with special needs may include, but are not limited to, the following:
 - a. Prisoners with chronic illnesses,
 - b. Prisoners with physical disabilities,
 - c. Prisoners with serious mental health needs,
 - d. Prisoners with developmental disabilities,
 - e. Perinatal care prisoners,
 - f. Prisoners with terminal illnesses
2. The physician, physician assistant or nurse practitioner shall determine, based on medical necessity, whether a prisoner with a disability or other special need requires special equipment such as a wheel chair, walker, cane, prosthesis, hearing aid, etc. or other special item or special services such as an interpreter. Health care staff shall make any recommendation for a special accommodation in writing to the Chief Administrative Officer, or designee, who shall approve the provision of the special accommodation unless safety or security considerations override the prisoner's need. If the recommended special accommodation is not approved, the Chief Administrative Officer, or designee, shall consult with health care staff to determine whether there is an alternative reasonable accommodation that does not pose a threat to safety or security. The final decision of the Chief Administrative Officer, or designee, shall be recorded in the prisoner's health care record.
3. The authorization for a special accommodation shall be recorded in the prisoner's health care record. The staff member who issues any special equipment or item shall provide a copy of the authorization to the prisoner to keep.
4. The authorization shall clearly describe what special accommodation is being allowed and if appropriate, the duration of time that the prisoner shall be allowed access to it.
5. Any authorization for a special accommodation for a disabled or other special needs prisoner shall be communicated in writing to the housing unit staff.
6. The HSA, or designee, shall provide for the assignment of appropriately trained individuals to assist disabled offenders who cannot otherwise perform activities of

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daily living. No prisoner shall be assigned to assist another prisoner with any toileting, bathing or other activity that might give the appearance of inappropriate touching.

7. Health care staff shall provide the education and support necessary for prisoners with disabilities to perform self-care and personal hygiene in a reasonably private environment.

Procedure B: Special Needs Treatment Plans

1. All prisoners shall be assessed for special needs during the intake process and during chronic care clinics and annual health assessments.
2. Any staff that suspects at any time that a prisoner has a disability or other special need shall refer the prisoner to appropriate health care staff for assessment.
3. When a prisoner is determined to have a special need, an individualized treatment plan, as set out in Policy 18.5, Health Care, shall be developed.

VII. PROFESSIONAL STANDARDS

ACA:

ACI - 4-4143 Written policy, procedure, and practice provide for the assignment of appropriately trained individuals to assist disabled offenders who cannot otherwise perform basic life functions.

ACI - 4-4144 Written policy, procedure, and practice provide education, equipment and facilities, and the support necessary for inmates with disabilities to perform self-care and personal hygiene in a reasonably private environment.

ACI – 4-4350 A written individual treatment plan is required for offenders requiring medical supervision, including chronic and convalescent care. This plan includes directions to health care and other personnel regarding their roles in the care and supervision of the patient, and is developed by the appropriate health care practitioner for each offender requiring a treatment plan.

ACI - 4-4375 Medical or dental adaptive devices (eyeglasses, hearing aids, dentures, wheelchairs, or other prosthetic devices) are provided when medically necessary, as determined by the responsible health practitioner.

4-ACRS-6A-01-1 Staff and offenders have access to an appropriately trained and qualified individual who is educated in the problems and challenges faced by offenders with physical and/or mental impairments, programs designed to educate and assist disabled offenders, and all legal requirements for the protection of offenders with disabilities.

4-ACRS-6A-04 Offenders with disabilities are housed in a manner that provides for their safety and security. Housing used by offenders with disabilities is designed for their use and provides for integration with other offenders. Programs and services are accessible to offenders with disabilities who reside in the facility.

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4-ACRS-6A-04-2 Education, equipment and facilities, and the support necessary for inmates with disabilities to perform self-care and personal hygiene in a reasonably private environment are provided.

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