POLICY TITLE: ACCOMMODATIONS FOR RESIDENTS WITH DISABILITIES OR OTHER SPECIAL NEEDS

POLICY NUMBER: 13.12

CHAPTER 13: HEALTH CARE SERVICES

STATE of MAINE
DEPARTMENT OF CORRECTIONS

Approved by Commissioner:

EFFECTIVE DATE: September 30, 2003
LATEST REVISION: May 28, 2013

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 Juvenile Facilities

III. POLICY

It is the policy of the Department of Corrections to ensure that any resident with a special need be given the opportunity to receive health care services addressing the special need. The Department shall also ensure that no resident with a disability is denied the opportunity to receive services or participate in programs on the basis of the resident’s disability.

Each juvenile facility shall make reasonable accommodations for a resident with a disability, which may include, but not be limited to, the assignment of appropriately trained individuals to assist disabled residents who cannot otherwise perform basic life functions and the education, equipment, facilities and support necessary for disabled residents to perform self-care and personal hygiene in a reasonably private environment. Health care services shall be provided in the most integrated setting possible, consistent with the special needs of the resident and safety and security.

IV. CONTENTS

Procedure A: Residents with Disabilities or Other Special Needs
Procedure B: Special Needs Treatment Plans
VI. PROCEDURES

Procedure A: Residents with Disabilities or Other Special Needs

1. Residents with special needs may include, but are not limited to, the following:
   a. Residents with chronic illnesses,
   b. Residents with serious communicable diseases,
   c. Residents with physical disabilities,
   d. Perinatal care residents,
   e. Residents with serious mental health needs,
   f. Residents with developmental disabilities,
   g. Residents with terminal illnesses.

2. Health care staff shall determine whether a resident with a disability or other special need requires special equipment such as a wheelchair, 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 resident’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 resident’s health care record.

3. The authorization for a special accommodation shall be recorded in the resident’s health care record. The staff member who issues any special equipment or item shall provide a copy of the authorization to the resident to keep on his or her person.
4. The authorization shall clearly describe what special accommodation is being allowed and, if appropriate, the duration of time that the resident shall be allowed access to it.

5. Any authorization for a special accommodation for a disabled or other special needs resident shall be communicated to the housing unit.

6. Health care staff shall make arrangements to provide assistance and support for any resident who is unable to perform his/her self-care and personal hygiene in a reasonably private setting.

Procedure B: Special Needs Treatment Plans

1. All residents shall be assessed during the intake process and during chronic care clinics and annual health assessments.

2. Any staff that suspects at any time that a resident has a disability or other special need shall refer the resident to appropriate health care staff for assessment.

3. When a resident is determined to have a special need, an individualized treatment plan, as set out in Policy 13.5, Health Care, shall be developed.

VII. PROFESSIONAL STANDARDS

ACA:

4-JCF-4C-20 Medical and dental adaptive devices are provided when medically necessary as determined by the responsible health-care practitioner.

4-JCF-5B-05 Juveniles with disabilities are provided with the following:

1. Housing that provides for their safety and security
2. Rooms or housing units designed for their use that provide for integration with other juveniles
3. Programs and services that are modified and/or specifically accessible to them
4. Staff members who are appropriately trained to assist juveniles who cannot otherwise perform basic life functions
5. Education, equipment, facilities, and the support necessary to perform self-care and personal hygiene in a reasonably private environment

4-JCF-5C-03 Assessments are completed on each juvenile during the intake process. These assessments with identify risk/need areas and assist in the classification and future case planning processes.