

State of Iowa Department of Corrections

Policy and Procedures

Policy Number: HSP-731
Applicability: DOC
Policy Code: Public Access
Iowa Code Reference: N/A
Chapter 6: Health Services
Sub Chapter: Mental Health
Related DOC Policies: IO-RD-01
Administrative Code Reference: N/A
Subject: Mental Health Disciplinary Assessment
ACA Standards: 5-ACI-6C-06
Responsibility: Dr. Jerome Greenfield
Effective Date: November 2020
Authority:

1. PURPOSE

To provide patients with a suspected or identified special needs diagnosis due process in disciplinary actions by providing consultation between the facility and treatment staff.

2. POLICY

It is the policy of the IDOC to have an assessment completed for special needs patients involved in the disciplinary process.

3. DEFINITIONS

A. Special Needs – Special needs is a category that includes those patients who fall under the definition of serious mental illness as well as the following diagnoses:

1. Borderline Personality Disorder
2. Intellectually and Developmentally Delayed/Disabled and their disorders.

(See *SMI/SN Lists*, Form **HSF-731B**, for a complete list of diagnoses)

B. Serious Mental Illness (SMI) – A serious and persistent disorder of thought or mood which significantly impairs judgment, behavior, capacity to recognize reality or cope with the ordinary demands of life within the prison environment which is manifested by substantial suffering or disability. Serious mental illness requires a documented mental health diagnosis, prognosis and treatment as appropriate by mental health staff. This would include the broad categories of:

1. Schizophrenia and other psychotic disorders
2. Bipolar Disorders
3. Major Depressive Disorders
4. Dementia and other organic brain disorders

(See *SMI/SN Lists*, Form **HSF-731B**, for a complete list of diagnoses)

C. Mental Health Disciplinary Report Form - Form used by the psychologist to provide information to the Administrative Law Judge (ALJ) regarding mental health issues that may impact the disciplinary process.

D. Electronic Medical Record (EMR) – Means used by the IDOC to document patients' health care, streamline clinical workflow and exchange clinical data with all providers within the IDOC.

E. See IDOC Policy **AD-GA-16** for additional Definitions.

4. PROCEDURE

The discipline process has potential implications in terms of extending a patient's tentative discharge date. Disciplinary segregation can also have significantly negative consequences in terms of a patient's mental status, particularly if they are mentally ill. The SMI/SN list generated in Medical ICON is specific to this policy and is to be used as minimum criteria to determine whether a patient needs a mental health disciplinary report form completed. This list does not preclude other patients from having an assessment when requested by the Administrative Law Judge.

The following procedures will be used to generate accurate assessment of a patient identified as special needs according to mental health status and level of impairment as it pertains to the disciplinary process.

Disciplinary Assessment Process

- A. Upon receipt of the disciplinary report, the psychologist will evaluate the patient for their ability to participate in the disciplinary process taking into account their special needs status.
 - 1. The psychologist will review the disciplinary notice and information in Medical ICON and ICON. At a minimum, the psychologist should understand the following:
 - a. The nature of the alleged rule violation - which rule, basic facts of the event as noted in the report.
 - b. Current/previous mental health diagnosis.
 - c. Current medical record - check medication compliance prior to alleged rule infraction.
 - d. Review history of disciplinary notices and findings.
 - e. The potential correlation between the patient's behavior and the diagnostic criteria.
 - 2. The psychologist will meet with the patient face-to-face if the patient hasn't been seen within the past three months or when there is reason for concern.
- B. After completing the evaluation, psychology staff will fill out the *Disciplinary Report Form, HSF-731A*, located in the EMR.
- C. Mitigating factors for the Administrative Law Judge to consider shall be included on the Disciplinary Report Form. Mitigating factors shall be clearly supported by objective findings.