

State of Iowa Department of Corrections

Policy and Procedures

Policy Number: FPH-14

Applicability: Institutions

Policy Code: Public Access

Iowa Code Reference: Chapters 904, 812, 229, 709

Chapter 10: Forensic Psychiatric Hospital

Sub Chapter: Administration and Organization

Related DOC Policies: NA

Administrative Code Reference: 481-51

Subject: Abuse

ACA Standards: NA

PREA Standards: NA

Responsibility: Warden Mike Heinrich, Dr. Theresa Clemmons

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Authority:

1. PURPOSE

To ensure that patients in the Forensic Psychiatric Hospital (FPH) at the Iowa Medical and Classification Center (IMCC) will be free of verbal, mental, physical, and sexual abuse, and abuse by neglect.

2. POLICY

Verbal, mental, physical, sexual abuse and abuse by neglect of patients will not be tolerated on the part of other patients or staff. Any evidence of abuse in these areas is to be promptly reported to an IMCC supervisor who will notify the DOC Health Service Administrator and the IMCC Warden. The DOC Health Service Administrator will then notify the Department of Inspections and Appeals within 24 hours, either by phone or through their website, in order to ensure reasonable efforts to effectively address any and all confirmed incidents of abuse.

Patient abuse may result in disciplinary action up to and/or including termination of employment. Certain abuses, by Iowa Code, are deemed felonies and punishable in criminal courts. Patient abuse will not be tolerated. Incidents of patient abuse will be reported after intervening on behalf of the patient.

3. DEFINITIONS - As used in this document:

- A. Verbal abuse includes but is not limited to profanity directed at the patient, insults, threats, degrading or vulgar language or slang expressions which degrade a patient's race, national origin, religion, gender, sexual orientation, physical, or mental disabilities.
- B. Mental abuse includes but is not limited to humiliation, harassment, and threats of punishment or deprivation.
- C. Physical abuse includes but is not limited to corporal punishment, and the use of restraints as punishment. Examples of physical abuse, other than those covered by established policies of the Forensic Psychiatric Hospital; include hitting, kicking, shoving, dragging, pinching or choking a patient.
- D. Abuse by neglect includes but is not limited to allowing a patient to control or abuse any other patient, failure to break up a fight between two patients, failure to stop a patient who is entering a dangerous situation, careless actions such as leaving a helpless patient unattended, neglecting, disregarding, or ignoring a patient's physical needs.
- E. Sexual abuse includes but is not limited to the exposing of pubes to a patient, and the exposure of a patient's genitals, pubes, breasts, or buttocks, fondling or touching the inner thigh, groin, buttocks, anus, or breasts of a patient, or the clothing covering these areas for sexual satisfaction, sexually suggestive comments or remarks made to a patient, a genital-to-genital or oral-to-genital contact, or the commission of a sexual offense under **Code of Iowa, Section 709, Section 726.2.**

4. PROCEDURE

Should sexual abuse take place in the hospital environment the following steps will take place:

- 1) A report is made to the facility or program administrator or designee to assure separation of the victim from his or her assailant.
- 2) An assessment and history is taken by health care professionals who conduct an examination to document the extent of physical injury. Provision is made for testing of sexually transmitted disease and counseling as appropriate.

- 3) Following physical examination, evaluation by a mental health professional to assess the need for crisis intervention counseling and long term follow up.

IMCC staff are expected to effectively address any reported incidents of abuse shared by hospital patients who in turn are to be encouraged to share any concerns they may have regarding a history of prior abusive relationships as well as any concerns for possibly returning to such a living arrangement.

To ensure patients' privacy, information will be kept confidential.