

# ARKANSAS REGISTER

## Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date \_\_\_\_\_ Code Number \_\_\_\_\_

Name of Agency \_\_\_\_\_

Department \_\_\_\_\_

Contact \_\_\_\_\_ E-mail \_\_\_\_\_ Phone \_\_\_\_\_

Statutory Authority for Promulgating Rules \_\_\_\_\_

Rule Title: \_\_\_\_\_

### Intended Effective Date

(Check One)

Date

☐ Emergency (ACA 25-15-204) Legal Notice Published ..... \_\_\_\_\_

☐ 10 Days After Filing (ACA 25-15-204) Final Date for Public Comment ..... \_\_\_\_\_

☐ Other \_\_\_\_\_ Reviewed by Legislative Council ..... \_\_\_\_\_  
(Must be more than 10 days after filing date.)

Adopted by State Agency ..... \_\_\_\_\_

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

## CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted  
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

Phone Number

E-mail Address

Title

Date

|   |   |  |
|---|---|--|
|  <p style="text-align: center;"><b>ADMINISTRATIVE RULES STATE<br/>OF ARKANSAS<br/>BOARD OF CORRECTIONS</b></p> | <b>Section Number:</b>                          | <b>Page Number:</b>                        |
|   | <b>834</b>                                      | <b>1 of 2</b>                              |
|   | <b>Board Approval Date:</b><br><b>5/11/2018</b> |  |
|   | <b>Supersedes:</b><br><b>AR-834</b>             | <b>Dated:</b><br><b>5-11-2018</b>          |
|   | <b>Reference:</b><br><b>N/A</b>                 | <b>Effective Date:</b><br><b>5-21-2018</b> |
| <b>SUBJECT: Procedure for Handling Disciplinary Infractions of Mentally Disordered Inmates</b>  |   |  |

**I. AUTHORITY:**

The authority of the Board of Corrections to promulgate this Administrative Rule is A.C.A. 12-27-105.

**II. PURPOSE:**

To ensure that policies and procedures for management of inmate behavior adequately take into account serious mental illness. Also to ensure that appropriate treatment interventions are considered and made accessible to reduce the likelihood of future misbehavior. And these treatment interventions are consistent with treatment goals so as not to cause regression or deterioration of the inmate's mental condition.

**III. APPLICABILITY:**

To all inmates identified as having a history of serious mental illness, or suspected at any point to be developing serious mental illness. To all staff involved in the disciplinary process, supervising inmates in segregated areas, or involved in health and correctional programs.

**IV. DEFINITIONS:**

- A. **Evaluation:** A mental health evaluation performed under the supervision of a licensed practitioner, and which includes, at a minimum, direct contact with the inmate.
- B. **Recommendations:** Statements made and signed by a licensed clinician may include, but are not limited to, the following: a strategy for preventing future repetitions of the misbehavior while maintaining the mental health of the inmate; suggestions for placement of the inmate; and treatment plan considerations for the inmate.
- C. **Serious Mental Illness:** This is defined as symptoms of a diagnosable mental disorder that impairs an individual's functioning and disrupts the capacity to cope with the ordinary demands of life.

**V. POLICY:**

It is the policy of the Arkansas Department of Correction and a goal of the correctional process to teach self-control and personal responsibility for behavior to all inmates in its custody. It is recognized that inmate behavior may be influenced by **serious mental illness**, and that such influences must be taken into account in pursuing the goals set out in this policy.

**VI. PROCEDURES:**

- A. At intake an **evaluation** will be done on all inmates entering the Arkansas Department of Correction and a mental health classification will be assigned as recommended by licensed mental health staff, and documented in the appropriate records.
- B. This classification will be reviewed and updated during the inmate's incarceration.
- C. Inmates who are identified as **seriously mentally ill** shall, at the time disciplinary charges are filed, be referred for an **evaluation**. At any point during the disciplinary process, an inmate suspected of being mentally ill can be referred for an **evaluation**.