

ARKANSAS REGISTER



Transmittal Sheet

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APR 4 1990

W.J. "BILL" McCuen
Secretary of State
State Capitol
Little Rock, Arkansas 72201-1094

For Office
Use Only:

Effective Date 4-22-90 Code Number 004.00.90-007

Name of Agency Arkansas Department of Correction

Department of Correction

Contact Person Al L. Lockhart, Director Telephone 501-247-1800 ext. 200

Statutory Authority for Promulgating Rules Act 50, Sixty-Sixth

General Assembly, First Extraordinary Session, 1968, Approved February 20, 1968.

AR 833 - Health Services

Intended

Effective Date

Legal Notice Published

Date

12/23-29/89

☐ Emergency

Final Date for Public Comment 01/13/90

☐ 20 Days
After Filing

Filed With Legislative Council 01/04/90

Reviewed by Legislative Council 02/13/90

☒ Other

Adopted by State Agency 03/30/90

Please use 4/22/90 as an
effective date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance With Act 434 of 1967 As Amended.

A handwritten signature in dark ink, appearing to read "Al L. Lockhart", is written over a horizontal line.

SIGNATURE

Director

TITLE
March 30, 1990

DATE



ADMINISTRATIVE REGULATIONS
STATE OF ARKANSAS
DEPARTMENT OF CORRECTION

Section Number

833

Page Number

1 of 4

Board of Correction Approval Date:
3/30/90

Supersedes:
809; 824;
842; 855

Dated:
9/30/82; 2/24/88;
10/18/88; 4/18/86

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3/30/90

4/2/90

SUBJECT: Health Services

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W. J. "BILL" McCUEN
SECRETARY OF STATE

By _____

I. Authority

The Board of Correction is vested with the authority to promulgate this Administrative Regulation by Act 50 of 1968 as amended.

II. Purpose

This Administrative Regulation establishes the mission, components, adherence to appropriate standards and review mechanisms for the provision of health care services in the Department.

III. Applicability

This Administrative Regulation applies to all providers of health care to inmates. It also applies to administrators and staff making referrals and affected by recommendations of health care providers.

IV. Definitions

- A. "Health care" refers to the variety of goods, services, personnel and procedures involved in providing the full range of prevention, evaluation and treatment of dental, medical and mental disorders.
- B. "Provider" refers to any health care organization, administrator, professional, paraprofessional or member of support staff, whether employed by the Department, under contract to the Department or paid on a fee-for-service basis, providing health care services to inmates.
- C. "Accessible" has a range of meanings depending on the acuteness and seriousness of the health disorder, but generally means that an inmate will be placed in contact



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Page Number

2 of 4

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with health care staff qualified to evaluate and/or treat the presenting complaint without undue delay or difficulty.

- D. "Reasonable and necessary" means that any treatable problem which significantly impairs the functioning of the individual, and/or presents a risk of contagion to others, and/or which is likely to worsen or cause unnecessary suffering without treatment, will be evaluated and treated according to the current community and professional standards and practices of health care.

V. Policy

It shall be the policy of the Department to provide health care services accessible to all inmates, which, at a minimum, meet reasonable and necessary health care needs.

VI. Procedures

- A. Each service shall be administered from within the Department of Correction in such a way as to ensure proper care of inmates, effective working relations with other divisions and staff, and program consistency with the mission and methods of the Department.
- B. Each administratively separate health care service shall establish policy and procedures consistent with applicable standards regulating the professional practices of that service.
- C. Each service shall establish a staffing pattern, whether based on funded positions, contract, or fee-for-service, that ensures an adequate number of staff to make services readily available, and proper credentialing to ensure quality of care.
- D. Each service shall ensure that all inmates entering the Department are screened, their health status documented,



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3 of 4

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and that referrals for treatment are made promptly when serious needs exist.

- E. Each service shall establish procedures for inmate access to necessary services that are not provided within the confines of the Department. When transfer to another facility is required, procedure must address any impact on liberty interests and/or stigmatization.
- F. Each service shall have policy and supporting documentation addressing issues of informed consent about procedures, the principle of least restrictive or intrusive treatment, and the right to refuse treatment.
- G. Each service shall keep proper records of health needs and service delivery. Procedures will be written for safeguarding confidentiality and for informed consent for release of information.
- H. Each service shall have a mechanism for handling requests and grievances in such a manner as to assure prompt attention to needs and rapid resolution of problems.
- I. Each service shall have formal lines of communication with the warden/center supervisor to ensure proper notification concerning health needs, health care recommendations and incidents relating to health care services. This line of communication shall also provide for regular meetings to resolve problems and conflicts.
- J. Medical Services shall have procedures for dealing with special needs inmates, such as the aged, chronically ill, and those having severely limited perceptual or motor abilities.
- K. Mental Health Services shall have procedures for dealing with mentally disordered, mentally retarded, brain damaged



ADMINISTRATIVE REGULATIONS
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833

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4 of 4

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and suicidal inmates, including provisions for special needs inmates requiring intensive and/or long term care.

- L. Each service shall establish some mechanism of quality review and/or certification to ensure that the service is adequately providing for the needs of the inmate population.
- M. Each service shall provide for training of staff and inmates in disease prophylaxis, recognition of problems, response to emergency health problems, and health care programs.

VII. References

Standards for Health Services in Prisons, National Commission on Correctional Health Care, 1987.

Certification Standards for Health Care Programs, American Correctional Association, 1989.

Act 507 of 1981, 12-29-405.

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