



Arkansas Department of Human Services
Division of Youth Services

POLICY NUMBER: 7002.04.6

PAGES: 3

SUBJECT: Access to Health Care

APPROVED BY:

DATE:

RELATED STANDARD: 4-JCF-4c-05; 4C-16

RELATED AR CODE: §9-28-209

RESOURCE: 29 CFR 1910.151

I. **POLICY:** Juveniles committed to the Division of Youth Services (DYS) will be provided access to essential health care services. Upon initial intake to DYS, admittance by referral, placement or transfer, youth services contractor staff shall inform juveniles of the availability of medical and health care services and orient juveniles to request health care services.

II. **APPLICATION:** Unlimited.

III. **DEFINITIONS:** See DYS Glossary Policy for other definitions.

IV. **PROCEDURES:**

A. Health Care Education & Orientation

1. Health Care Services available from DYS providers shall include preventative and interventive treatment for medical, dental and mental issues. A health care practitioner or trained healthcare personnel, under the supervision of an Arkansas-licensed physician, will conduct a medical screening and provide preventive health care education during orientation to juveniles to ensure the development of sound personal hygiene habits, including basic education in:
 - a. Dental and sexual hygiene;
 - b. Bathing and change of clothing;
 - c. Eating, exercise and rest habits; and
 - d. Smoking, alcohol and drug use.
2. Hygiene education may be provided individually or in a group setting, so long as the curriculum is approved by an Arkansas-licensed physician.
3. Juveniles committed to DYS will receive a screening consisting of a visual observation and assessment (immediately documented) of health status within twenty-four (24) hours of initial intake to DYS custody. Upon arrival at a subsequent residential placement, juveniles will receive a screening consisting of a visual observation and assessment (immediately documented) of health status within twenty-four (24) hours intake (or transfer) to that facility. Every juvenile shall be informed during initial intake or subsequent orientation, orally and in writing (in the facility handbook) of procedures required for requesting and gaining access to medical services.
4. Health care practitioners conducting the orientation may distribute specific health care information upon request.

B. Emergency Care

1. Juveniles presented with emergency or urgent medical needs will be made comfortable with medically necessary care, medication and palliative treatment during the conduct of the medical screening. Emergency care will be unimpeded, taking priority over other services and will be available twenty-four (24) hours per day, seven (7) days per week. Each facility will establish an agreement to assure the availability of prompt, on-call services for emergencies.
2. Juveniles suspected of being under the influence of an intoxicating or chemical substance shall be referred to appropriate and pre-identified detoxification services for medical evaluation (and, if needed, medical treatment) prior to admission to the facility, with documentation of the referral provided to the facility Substance Abuse Counselor.
3. Each facility will provide immediate accommodation for predetermined medical needs to provide a continuum of medical services, including, but not limited to, medication supply and medical equipment.
4. Each facility will provide a means to verify the accuracy of reported medication use.
5. Each facility shall have a written plan for medical, dental and mental health emergencies accessible to all residents and facility staff to include:
 - a. On-site emergency first aid and crisis intervention;
 - b. Emergency evacuation of the juveniles from the facility;
 - c. Use of an on-site emergency medical vehicle,
 - d. Arrangements for notifying emergency personnel such as ambulance, fire, etc;
 - e. Arrangements for access to hospital emergency room or other medical facilities;
 - f. Arrangements for emergency on-call physician, dentist and mental health professional services when the emergency health facility is not located in a nearby community; and
 - g. Security procedures providing for the immediate transfer of juveniles when appropriate.

C. Emergency Response Training Program

1. Each facility shall have an emergency response-training program designed to ensure staff response to health-related emergencies within four minutes. This plan shall include the following:
 - a. Recognition of signs and symptoms and knowledge of action required in potential emergency situations;
 - b. Administration of first aid and cardiopulmonary resuscitation (CPR);
 - c. Methods for obtaining assistance;
 - d. Recognition of signs and symptoms of mental illness, retardation, and chemical dependency; and
 - e. Procedure for patient transfers to appropriate medical facilities or health care providers.
2. The facility administrator will hold conduct health-related emergency preparedness surveys every three (3) months (quarterly), documenting results. Identified problems with facility response to emergency situations will be addressed through documented corrective action. Both survey and corrective action documentation will be maintained by the facility administrator and available for review by DYS upon request.

- D. Only health care providers accepting Medicaid reimbursement will be utilized for juveniles in DYS custody unless prior written authorization is received from the DYS Director (or designee).

Forms: None.

NEW



Arkansas Department of Human Services
Division of Youth Services

POLICY NUMBER: 7002.05.14

PAGES: 3

SUBJECT: Juvenile Rights & Responsibilities

APPROVED BY:

DATE:

RELATED STANDARD: 3-JCRF-3D-01--07

RELATED AR CODE: §9-28-203, et seq.

RESOURCE: Arkansas Juvenile Code, ACA Standards

I. **POLICY:** Juveniles in the custody of or admitted to programs funded by the Division of Youth Services shall be afforded rights and given responsibilities that are clearly defined. Juveniles shall be informed of their rights and responsibilities upon entry into the facility or program. Juvenile rights shall be outlined by each residential facilities/programs and community treatment program in a juvenile handbook and provided to each assigned juvenile. The basic rights of juvenile described in this policy shall not to be diminished or denied for disciplinary reasons nor used as a motivational incentive.

II. **APPLICATION:** Unlimited.

III. **DEFINITIONS:** See DYS Glossary Policy for other definitions.

IV. **PROCEDURES:**

- A. Juveniles in DYS custody or housed in will be granted and assured of the following basic rights:
1. To be free of discrimination because of race, religion, color, gender, age, natural origin, or handicap;
 2. To be afforded reasonable accommodations for accessing appropriate services;
 3. To be provided medical and dental treatment as appropriate and necessary;
 4. To send and receive mail in a timely manner;
 5. To make and receive telephone calls of reasonable duration, although assisted;
 6. To receive visitors according to program schedule;
 7. To have contact with attorneys and other authorized legal representatives;
 8. Freedom in personal grooming, except when it would conflict with facility requirements for safety, security, identification, or hygiene;
 9. To file a grievance or allegation of abuse or neglect;
 10. To be treated respectfully, impartially and fairly and to be addressed by name in a dignified, conversational form;
 11. To be informed of the rules, procedures and schedules of the facility within twenty-four (24) hours of admission, intake or assignment;
 14. Not to be subjected to corporal punishment, harassment, mental, verbal, or physical abuse, personal injury, disease, intimidation, property damage, threats, harm, assault, humiliation or interference with the normal bodily functions of eating, sleeping or bathroom functions by any person;
 15. To practice his/her faith and to participate in religious or spiritual services and counseling on a voluntary basis;

16. A free and appropriate education;
 17. To be allowed access to the voting system (by absentee ballot) if 18 years of age or older and allowed the option to register with the appropriate county of residence;
 18. The opportunity review his/her case record while in a facility or community residential placement with reasonable advance notice to the facility administrator;
 19. The freedom of expression, as long as it does not interfere with the rights of others or the safety and security of the facility/program or public;
 20. The right to due process in disciplinary proceedings;
 21. To equal access to programs and services in co-correctional facilities or equivalent services among different facilities;
 22. To maintain his/her physical, mental and emotional health by exercising on a daily basis during a period of no less than one (1) hour each 24 hour period of placement;
 23. The opportunity to register for selective service, if 18 years of age or older;
 24. The ability to seek U.S. citizenship through the naturalization process and the opportunity to fulfill naturalization requirements established by Congress in the Immigration and Nationality Act (INA);
 25. The opportunity for free access to consulate or embassy representative of the home nation if identified as a foreign national; and
 26. To be provided approved daily nutritional meals and sleeping accommodations to include a bed and predetermined assigned sleeping items consistent with program safety.
- B. Juveniles housed or served by DYS residential facilities or programs are subject to the following basic responsibilities and expectations:
1. To obey all federal and state and local laws and ordinances at all times;
 2. To respect peers and staff by obeying all legal and reasonable staff requests and by refraining from the use of verbal abuse, ethnic slurs, slander, and/or obscene gestures;
 3. To follow the rules, procedures, schedules, and directions of staff while in the facility/program;
 4. Juveniles shall treat staff members and other juveniles with respect and shall not engage in activity that is designed to be disruptive to the living environment;
 5. Maintain clean and orderly living quarters, program areas and facility grounds;
 6. Juveniles are expected not to damage public or privately owned property located within, or adjacent to, the facility;
 7. To ask for medical and dental care or mental health/emotional support when needed;
 8. To maintain his/her clothes, body, and hair in a manner consistent with the facility requirements for safety, security, identification, and hygiene;
 9. To refrain from infringing upon the rights of other juveniles and/or staff;
 10. To obey all orders of the court, to remain in placement and to participate fully, to the best of their ability, to achieve the goals identified in the Service Plan;
 11. To promote the physical safety, sexual integrity, and personal security of others through the use of self-discipline;
 12. To personally refrain from and discourage others from possessing or transmitting any kind of weapon or object which could be used as a weapon;
 13. To personally refrain from and discourage others from possessing, using, buying, selling, or otherwise providing or having alcohol, tobacco, narcotics, or other illegal drugs, or from abusing any other substance as an intoxicant or stimulant;
 14. To maintain openness, and be receptive, to program, treatment and education offerings; and
 15. To practice and encourage honesty in all interactions.

C. These basic juveniles' rights and responsibilities will be provided in a timely manner through easy and appropriate access to juveniles.

D. Access to Counsel: Juveniles has the right to confidential access to counsel and/or attorney(s) and their authorized representatives. Contact includes but is not limited to telephone communications, uncensored correspondence and visits.

1. If the attorney desires access to the juvenile's treatment records, then some written confirmation that they are the juvenile's attorney is required (ie. Client retainer agreement) as proof to the provider and/or DYS.
2. If the attorney desires access to the juvenile's medical records, then the attorney is required to provide a copy of the client retainer agreement and a completed HIPPA authorization form.
3. The facility administrator or designee may require visits to be scheduled in advance whenever possible so proper arrangements can be made.

Forms: None.



Arkansas Department of Human Services
Division of Youth Services

POLICY NUMBER: 7002.05.23

PAGES: 3

SUBJECT: Juvenile Dental Health Screening & Care

APPROVED BY:

DATE:

RELATED STANDARD: ACA 4-JCF-4C-01, 4C-15, 4C-12; 3-JCRF-4C-09, 4C-13, et seq.

RELATED AR CODE: §17-82-101, et seq.; §4-29-401, et seq., §9-28-209.

RESOURCE: Arkansas Dental Practices Act, Clinical Guidelines on Adolescent Oral Health Care, American Academy of Pediatric Dentistry (AAPD), American Correctional Association.

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- I. POLICY: Juveniles in Division of Youth Services (DYS) custody shall be provided dental services consistent with medical necessity and in accordance with dental profession guidelines.
 - II. APPLICATION: Unlimited.
 - III. DEFINITIONS: See DYS Glossary Policy for other definitions.
 - A. **Arkansas-Licensed Dentist:** Individual licensed (in good standing) by the State of Arkansas to practice dentistry.
 - B. **Dental Hygienist:** Individual licensed by the State of Arkansas to polish and remove hard and soft deposits accretions and stains from the teeth and supporting tissue.
 - C. **Initial Intake:** The first intake of a juvenile into DYS custody and resulting from a commitment order from a court of competent jurisdiction. Initial intake may occur more than once during a given period.
 - D. **Medically Necessary Care:** The reasonable and appropriate diagnostic, preventive, and treatment service (including supplies, appliances, and devices) and follow-up care as determined by qualified, appropriate health care providers in treating any condition, disease, injury, or congenital or developmental malformation.
 - E. **Palliative:** Relieving or soothing the symptoms of a disease or disorder without affecting a cure.

IV. PROCEDURES:

- A. Juveniles committed to DYS will receive medically necessary dental care consisting of reasonable and appropriate diagnostic, preventive, and treatment services (including supplies) and follow-up care as determined by qualified, appropriate health care providers. Unless supported by documented emergency circumstances, treatments of pre-existing conditions due to congenital or developmental malformation, disease or injury are subject to prior approval by the DYS Director (or designee) and may be performed when the health of the juvenile would be adversely affected.

- B. Juveniles presenting with emergency or urgent dental needs will be made comfortable with medically necessary care, medication and palliative treatment, at the dental screening. Emergency care will take priority over other dental services and be available 24 hours per day, seven days per week. Each facility will assure the availability of a dentist to provide prompt, on-call services for emergencies.
- C. Juveniles committed to DYS will receive a dental screening consisting of a visual observation and assessment (immediately documented) of oral health status within twenty-four (24) hours of initial intake to DYS custody. Upon arrival at a subsequent residential placement, juveniles will receive a dental screening consisting of a visual observation and assessment (immediately documented) of oral health status within twenty-four (24) hours intake (or transfer) to that facility.
- D. Within fourteen (14) days of intake into DYS custody, juveniles will receive oral hygiene instruction by a dentist, dental hygienist or allied health care practitioner. Oral hygiene instruction will follow the Clinical Guidelines on Adolescent Oral Health Care published by the American Academy of Pediatric Dentistry (AAPD). Services may be provided individually or in a group setting, so long as the curriculum is approved and coordinated by an Arkansas-licensed dentist.
- E. Allied health care staff may also conduct dental screenings and provide oral hygiene instruction and dental health education if trained and supervised by an Arkansas-licensed dentist.
- F. Documented observations from dental screening results will be provided to an Arkansas-licensed dentist for review and development of an appropriate dental treatment plan. Referrals for dental evaluations, procedures, x-rays, examinations and treatment will be indicated by the treatment plan. The treatment plan will be updated under the supervision of an Arkansas-licensed dentist upon subsequent examinations or procedures. .
- G. Dental screenings, treatment recommendations and treatment progress will be documented using a standardized dental screening form or health appraisal form consistent with generally accepted practice management forms. [Specific practice management systems, such as SoftDent or PracticeWorks; are not required; however, documentation methods should be compatible with such practice management systems.] Documentation will be filed in the individual juvenile case file (hardcopy and digitized in a manner consistent with DYS juvenile tracking programs) and accompany the juvenile when transferred within the DYS network.
- H. Procedures indicated by the treatment plan require prior-approval as medically necessary by an Arkansas-licensed dentist in consult with DYS. Medically necessary care may not be limited to X-rays or extractions, when examination evidence suggests the health of the juvenile would otherwise be adversely affected.
- I. When a juveniles transfers within the DYS network (to another facility), the healthcare practitioner on duty at the receiving facility will conduct the aforementioned screening and review, update and document such in the

dental file (hardcopy and digitized consistent with DYS juvenile tracking programs).

- J. Should x-rays be required, the original films will be mounted and stored in a manila envelope (marked with the juveniles identifying information and date of birth) and secured in the juvenile's master case file. [Upon universal application of digital coding, the films may be digitized and stored with the juvenile's electronic documentation file.]
- K. All existing dental restorations and prostheses will be evaluated and documented in the juvenile's individual case file health record. Upon the co-approval of the facility dentist and program director, juveniles will be allowed to use removable partial dentures, orthodontic retainers, and other dental prostheses unless doing so poses a safety risk. Removable crowns, ornamental appliances and piercings will be removed upon admission and secured with the juvenile's personal property.

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