


KANSAS DEPARTMENT OF CORRECTIONS

 Kansas Department of Corrections	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER	PAGE NUMBER
		10-115D	1 of 3
Approved By: Secretary of Corrections		SUBJECT:	
		PROGRAMS AND SERVICES: Non-Essential Medical Services and Procedures for Offenders	
		Original Date Issued:	09-29-15
		Replaces Version Issued:	N/A
		CURRENT VERSION EFFECTIVE:	09-29-15

APPLICABILITY:	<input type="checkbox"/> ADULT Operations Only	<input type="checkbox"/> JUVENILE Operations Only	<input checked="" type="checkbox"/> DEPARTMENT-WIDE
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POLICY STATEMENT

The contracted health services provider shall have a policy and procedure in place that guides decisions on elective surgery to correct a substantial functional deficit or when an existing pathological process threatens the well-being of offenders over a period of time. (ACA 4-4398; 4-JCF-4C-11)

The contracted health services provider shall provide medical or dental adaptive devices (eyeglasses, hearing aids, dentures, wheelchairs, or other prosthetic devices) when the physical and behavioral health of the patient would otherwise be adversely affected, as determined by the responsible physician or dentist. (ACA 4-4375; Y-G-10)

DEFINITIONS

Aids to Impairments: Devices such as eyeglasses, hearing aids, canes, crutches, and wheelchairs that enhance or restore physical function.

Departmental Clinical Health Authority: The physician Regional Medical Director of the agency or organization responsible for the provision of health care services for the KDOC. This position has full clinical autonomy and responsibility for clinical health care issues within the KDOC.

Director of Health Care Services: Acts as the administrative health authority for the Department. This position manages health care systems, directs the health care services model, and has final approval on all policies and procedures in the health care system.

Facility Administrative Health Authority: The Health Services Administrator responsible for the provision of health care services at a facility. The Health Services Administrator works under the direction of the Regional Medical Director and the Regional Vice President or designee administratively.

Facility Clinical Health Authority: The physician Site Medical Director responsible to the Regional Medical Director for all clinical matters and to the Health Services Administrator for all administrative matters.

Health Care Practitioner: A person who has met the requirements of and is engaged in the practice of medicine, dentistry, or nursing.

Intractable Pain: Pain, which is resistant to care, relief, or control.

Orthotic Devices: Specialized mechanical devices used to support or supplement weakened or abnormal joints or limbs, such as braces, foot inserts, or hand splints.

Prosthetic devices: An artificial device to replace missing body parts or compensate for defective bodily functions such as teeth, eyes, or limbs. Aids to impairments include: eyeglasses, hearing aids, ambulatory devices, or wheelchairs.

Regional Dental Director: Responsible for the clinical supervision of all facility dentists and dental health care personnel within the facilities. The Regional Dental Director is responsible to the Regional Medical Director and the Regional Vice President or designee administratively.

PROCEDURES

I. Determination of Non-Essential Medical Services

- A. All serious health needs shall be considered a priority and are such that delay in care could cause irreparable harm, excessive risk of further serious deterioration of the condition, result in intractable, significant pain or discomfort, or would prevent or reduce the chance for repair and or resolution upon the patient's release. Care for serious health conditions shall be rendered in a timely fashion in accordance with sound medical principals and community standards.
- B. Non-essential health services or elective procedures shall not be routinely provided. However, the health care contract shall consider care for non-essential services on a case-by-case basis through an appropriate review process that considers the patient's overall physical and behavioral health, quality of life, as well as rehabilitative potential.
 - 1. Examples of non-essential medical procedures include but are not necessarily limited to:
 - a. Sterilization;
 - b. Routine hernia repair (uncomplicated);
 - c. Tattoo removal;
 - d. Elective circumcision;
 - e. Medical, pharmaceutical, or cosmetic experiments;
 - f. Surgical repair of orthopedic conditions existing prior to incarceration which are not currently symptomatic; and,
 - g. Reparative/restorative or cosmetic surgery when the deformity does not affect function and existed prior to incarceration. Reparative/restorative surgery may be performed to improve function and general appearance when the deformity has occurred during incarceration.

II. Special Considerations

- A. Special consideration of recommendations made by the sentencing court to provide non-essential medical services shall be referred to the Director of Health Care Services and the Regional Medical Director. The recommendations shall be reviewed and considered for approval when the procedure is deemed to be in the rehabilitative interest of the offender, or if the health of the offender would otherwise be adversely affected.

III. Orthotic/Prosthetic Devices and Aids to Impairment (ACI 4-4398, NCCHC P-G10)

- A. The health services vendor shall provide orthoses, prosthetic devices and other aids to impairment and the disposition of such requests shall be documented in the health record. Receipt of such appliances shall be completed upon issuance to the offender on forms developed by the health care vendor, maintained in the health record, and provided to the property officer and other operational staff as indicated for safety and security. These devices or aids include, but shall not be limited to:

1. Eye glasses;
 2. Hearing Aids
 3. Dentures or other dental appliances;
 4. Eye prosthetic implants;
 5. Limb and extremity replacements; and,
 6. Specialized mechanical devices used to support an orthopedic condition.
- B. Alternatives shall be considered when the recommended aid to impairment is contraindicated for security concerns while meeting the health care needs of the patient.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

ACI 4-4398, 4-4375
JCF 4-JCF-4C-11
NCCHC P-G10; Y-G-10

ATTACHMENTS

None.