

CORRECTIONAL MANAGED HEALTH CARE POLICY MANUAL	Effective Date: 11/14/2017	NUMBER: A-10.1 Page 1 of 2
	Replaces: 3/17/2016	
	Formulated: 3/85	
	Reviewed: 10/18	
NOTIFICATION REQUIREMENTS REGARDING CRITICALLY ILL OFFENDERS		

PURPOSE: To establish an efficient and timely system of notifying emergency contacts when an offender becomes critically ill or a pregnant offenders experiences fetal demise.

POLICY: In the event an offender becomes critically ill or when a pregnant offender experiences fetal demise, the Warden/Facility Administrator shall make the appropriate notifications of the offender’s emergency contact in accordance with the Texas Department of Criminal Justice (TDCJ) Administrative Directive (AD) 06.10, “Notification Requirements Regarding Critically Ill Offenders.”

DEFINITIONS:

Critically ill refers to any illness or injury that is life- or limb-threatening as determined by licensed health care staff.

Emergency contact is the individual(s) identified and whose name(s) and contact information has been documented in the offender’s permanent classification file as the person to contact in the event of a medical emergency.

Fetal demise (or stillbirth) is defined as fetal death occurring during pregnancy at 20 weeks gestation or later.

PROCEDURES:

- I. In the event an offender becomes critically ill while incarcerated in a TDCJ prison facility, the facility medical department shall notify the offender’s Warden/Facility Administrator who shall make the appropriate notifications of the offender’s emergency contact in accordance with AD 06.10, “Notification Requirements Regarding Critically Ill Offenders.”
 - A. The chaplain at Hospital Galveston (HG) is the warden’s designee who shall notify the emergency contact for an offender whose status is considered critically ill during the offender’s hospitalization at HG.
 - B. If the offender is transferred to an offsite hospital, the warden or designee shall refer the emergency contact to the hospital where the offender is receiving treatment for instructions on how to obtain the offender’s protected health information (PHI).

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- II. The Office of Mental Health Services Liaison (MHSL) will monitor offsite hospitalizations and provide the following reports to the warden (or designee) each business day:
- A. CID Facilities: Each business day MHSL shall consolidate reports received from the Utilization Review/Utilization Management of contracted vendors into one report for the CID Deputy Director for Prison and Jail Operations and regional directors, to include offenders whose status has changed to critically ill during hospitalization at an offsite hospital since the time of the last report.
 - B. Private Facility Contract Monitoring/Oversight Division (PFCMOD) Facilities: Every business day, the MHSL shall consolidate the following reports for the PFCMOD deputy director (or designee):
 - 1. Correctional Managed Health Care (CMHC) contracted private facilities shall receive a report from UR of the contracted CMHC vendor listing offenders whose status has changed to critically ill during hospitalization at an offsite hospital.
 - 2. Private non-CMHC facilities shall receive a report for each private non-CMHC facility listing offenders whose status has changed to critically ill during hospitalization at an offsite hospital.
- III. In the event a pregnant offender experiences fetal demise, notification of next of kin should be offered to the offender. If the offender consents, an Authorization for Release of Protected Health Information shall be obtained. The Warden/Facility Administrator shall then make the appropriate notifications in accordance with AD 06.10, "Notification Requirements Regarding Critically Ill Offenders."
- IV. Offender Protected Health Information (PHI)
- A. The dissemination of an offender's PHI requires the offender's written consent.
 - B. The warden (or designee) is responsible for notifying the emergency contact that the offender has a critical condition; however, the warden (or designee) is not authorized to release the offender's PHI. The warden (or designee) shall refer the emergency contact to the hospital where the offender is receiving treatment for instructions on how to obtain the offender's PHI.

Reference: ACA 4-4395
 ACA 4-4396 (Mandatory)
 TDCJ Administrative Directive 06.10, "Notification Requirements Regarding Critically Ill Offenders."