



# KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	<b>SECTION NUMBER</b>  <b>10-131D</b>	<b>PAGE NUMBER</b>  <b>1 of 4</b>
		<b>SUBJECT:</b>  <b>PROGRAMS AND SERVICES: Management of Offenders with Infectious/Communicable Diseases</b>	
<b>Approved By:</b>  <b>Secretary of Corrections</b>		<b>Original Date Issued:</b> <b>02-01-16</b>	<b>Replaces Version Issued:</b> <b>N/A</b>
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<b>APPLICABILITY:</b>	<input type="checkbox"/> <b>ADULT Operations Only</b>	<input type="checkbox"/> <b>JUVENILE Operations Only</b>	<input checked="" type="checkbox"/> <b>DEPARTMENT-WIDE</b>
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## POLICY STATEMENT

To provide for the management of infectious diseases and to ensure that all appropriate and necessary actions are taken with respect to those offenders suspected of or diagnosed as having infectious/communicable diseases.

A program of education and training regarding safeguards for staff and offenders shall be provided. Procedures for screening/testing, placement, and identification of such offenders shall be established and presented to staff and offenders at each facility. Offenders shall not be limited in program or work detail placements, or in housing assignments based solely on a diagnosis of infectious disease. Each offender shall be clinically assessed and classified for work, programming, or housing assignment based on their clinical status and their mechanism of communicability to ensure the safety of all staff and offenders in the correctional system. (ACI 4-4354, 4-4355, 4-4356, 4-4357, 44358, 4-4359, NCCHC P-B-01, P-B-02, P-C-02, P-C-03, -P-C-04, P-C-06)

## DEFINITIONS

**AIDS:** The acronym commonly used to refer to the medical condition known as the Acquired Immune Deficiency Syndrome.

**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 clinically 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.

**HBV:** The acronym commonly used to refer to the medical condition known as Hepatitis B Virus.

**HCV:** The acronym commonly used to refer to the medical condition known as Hepatitis C Virus.

**HIV:** The acronym commonly used to refer to the virus known as human immunodeficiency virus and known to cause the medical conditions referred to as AIDS.

**Qualified Health Care Provider:** Physicians, dentists, and other professional and technical workers who by State law engage in activities that support, compliment, or supplement the functions of physician and/or dentists and who

are licensed, registered or certified as appropriate to their qualifications to practice: further, they practice only within their licenses, certifications, or registration.

Standard Precautions: An approach to infection control using the concept that all human blood and certain body fluids are treated as if known to be infectious for HIV, HBV, HCV, and other blood borne pathogens.

## **PROCEDURES**

### **I. Education and Training Program**

- A. In cooperation with the Director of Healthcare Services and contracted healthcare provider, each warden/superintendent shall develop and implement education and training programs relating to infectious/communicable diseases for offenders and staff.
- B. The education program and training in self-care skills shall be presented to the general offender population and to all new offenders upon admission to the intake facility as part of the intake screening and information process, per IMPP 10-117D and IMPP 10-122D. The education program shall be presented by a qualified health care provider.
- C. Staff training in standard precautions and procedures shall be provided for all staff through the facility's training department by a health care provider. The level of training may vary by position and the degree of risk of occupational exposure.
  - 1. Staff shall be advised to strictly adhere to standard precautions and provisions of IMPP 09-106, the Manual Occupational Exposure Plan, and applicable housekeeping and safety plans when handling contaminated items, decontaminating equipment and disposing of sharps and biohazardous waste.
- D. Printed educational material shall be made available to offenders on post incarceration supervision, parole officers, and regional parole directors.

### **II. Screening and Surveillance**

- A. All offenders shall be screened for infectious and communicable diseases upon intake into the KDOC system, per IMPP 10-117D, and a general screening for HIV or HBV shall not be undertaken for the offender population.
- B. Offenders who desire screening for HIV shall direct their request to the health services staff.
  - 1. The Health Care Practitioner shall determine if the offender is at risk for having contracted, or is symptomatic of HBV, HCV, HIV, or AIDS, and if such screening is appropriate.
- C. In the event staff suspects an offender has symptoms of a condition suggestive of AIDS, HCV, HIV, or HBV, a request for examination shall be directed to the Health Care Practitioner.
- D. When authorized, following an offender or staff initiated request, testing shall be performed by medical staff at the facility or at a licensed testing laboratory, as determined by the Regional Medical Director.
- E. When HIV testing is ordered by a court, the withdrawal of the blood shall be performed only by health care personnel in the community, as authorized pursuant to applicable Kansas statute(s).
- F. All screening shall be preceded by a period of counseling by qualified health care staff covering the possible impact of test results.

### **III. Identification**

- A. All symptoms and confirmed diagnoses of infectious/communicable diseases shall be noted in the respective offender's electronic health record.

- B. Once informed of such diagnoses, the Health Care Practitioner shall comply with pre-established Center for Disease Control policies which govern the handling of such cases.
- C. The Site Medical Director or his/her designee shall immediately notify the Director of Healthcare Services and the Regional Medical Director of the diagnosis/presence of symptoms.
- D. The disclosure of medical test results for offenders who have tested positive for or have symptoms of infectious/communicable diseases, shall be permitted on a case-by-case, need-to-know basis as determined by the Director of Healthcare Services and the Regional Medical Director.
  - a. **ADULT:** In accordance with IMPP 05-107.
- E. A monthly report of the total number of communicable diseases within the facility, including HIV, HCV, and HBV, will be provided to each warden/superintendent by the Health Services Administrator.

#### IV. Placement of Offenders and Continuity of Care

- A. Offenders who test positive for HIV antibodies, who are diagnosed as having symptoms of AIDS, unless directed otherwise by the Health Care Practitioner, shall be placed in the general population.
  - 1. No medical restrictions shall be indicated with regard to program, work detail or housing placements related to the specific diagnosis. The Health Care Practitioner shall notify facility staff of conditions limiting the offender's ability to perform certain work assignments or suitability for certain housing placements based upon other identified disabilities/limitations and advise, if accommodations are required.
  - 2. The Health Care Practitioner may, for medical reasons only, direct the offender's removal from the general population for placement in appropriate housing at the facility or at a community medical facility.
  - 3. Such offenders may be removed from the general population for conduct related reasons.
- B. Offenders identified by the Health Care Practitioner for removal from the general population may be placed in the facility infirmary, or in restrictive housing under protective custody if it is determined that such action is appropriate to provide for their safety.
  - a. **ADULT:** In accordance with IMPP 20-104.

#### V. Special Restrictions and Precautions

- A. Clinical guidelines shall be established by the Regional Medical Director and approved by the Director of Health Services regarding the care and treatment of offenders diagnosed with HIV infection.

**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**

K.S.A. 38-2317, 65-6008, and 65-6017  
IMPP 05-107 10-117D, 10-122D, 20-104  
ACI 4-4354, 4-4355, 4-4356, 4-4357, 4-4358, 4-4359,  
NCCHC P-B-01, P-B-02, P-C-02, P-C-03, -P-C-04, P-C-06

**ATTACHMENTS**

None.