


DEPARTMENT OF CORRECTION  INSTITUTIONAL SERVICES DIVISION	DIRECTIVE NUMBER: 401.06.03.061	PAGE NUMBER: 1 of 3
	SUBJECT: Medical Records Confidentiality	Adopted: 06-01-95 Revised: 06-15-99 Reformatted: 02-2001

01.00.00. POLICY OF THE DEPARTMENT

It is the policy of the Idaho Board of Correction that the Department of Correction ensure proper medical, dental, psychiatric and psychological services and treatment be provided to inmates incarcerated under its jurisdiction, including those state-sentenced offenders held in non-IDOC facilities.

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03.00.00. REFERENCES

Idaho Code, Title 9, Chapter 3, Public Records Act, 9-337 through 9-350.

Idaho Department of Correction Administrative Policy, 108C.

Standards for Adult Correctional Institutions, Third Edition, Standards 3-4377.

Standards for Health Services in Prisons, P-61.

04.00.00. DEFINITIONS

Facility Health Authority: The on-site Health Authority or senior health staff assigned.

Medical Authority: Idaho Department of Correction Health Services Chief.

Medical Director: A physician (M.D.) either employed by the Idaho Department of Correction or the physician in charge if medical services are privatized.

Qualified Health Professional: Physician, physician assistant, nurse practitioner, nurse, dentist, mental health professional and others who by virtue of their education, credentials, and experience are permitted by law within the scope of their professional practice are to evaluate and care for patients.

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Regional Health Manager: The individual assigned as the primary manager who is administratively responsible for the delivery of medical services if health services are privatized.

05.00.00. PROCEDURE

The active health record shall be maintained in the medical unit at the facility holding the inmate. The health record will be filed separately from the confinement record except during transit periods.

Access to the health record shall be controlled by the medical health authority or his/her designee.

Any information gathered or recorded about alcohol or drug abuse shall be confidential under federal regulations.

The inactive health record shall be maintained at the records section of IDOC central office when an inmate leaves the custody of the Department of Correction.

The facility health authority shall share information which includes access to the med file with the facility administrator (warden or superintendent) or designee on a need-to-know basis, concerning an inmate's medical management and security requirements.

When divulging any information, the confidential relationship between physician and patient extends to inmate patients and their physicians or other health providers.

There also may be circumstances which justify advising correctional staff concerning appropriate housing and/or working conditions resulting from an inmate's health status, or to protect the health and safety of the inmate, other inmates and the correctional staff.

In most instances, unless required by law, it is not necessary to reveal specific diagnosis.

In the case of unit team management concerns the Department psychologists and social workers shall have access to the medical file in the medical units.

Medical records or copies thereof will only be released to the following individuals and only under the following specific circumstances.

By court order.

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By written request of the inmate's designated attorney, upon the attorney's letterhead with attached signed consent of release of information.

Records will not be released to inmate legal representatives.

By written request of an inmate designated physician upon that physician's letterhead with attached signed consent of release of information.

Another state agency upon transfer or our Department staff - i.e.: Problem lists to those (social workers) responsible for parole plan preparation.

Upon submission of a written request by the inmate to the records custodian, the request will be reviewed and processed in accordance with the requirements of the Idaho Public Records Act and IDOC Administrative Policy 108.

Administrator, Institutional Services Division

Date