

FORM OF ORDER AND TRANSMITTAL BY AGENCY HAVING SINGLE HEAD

State of Washington

DEPARTMENT OF CORRECTIONS

(agency name)

Administrative Order No. 84-08

(1) I, Amos E. Reed, director of the Department of Corrections

do promulgate and adopt at Olympia, Washington (place)

the annexed rules relating to:

ADOPT: Chapter 137-91 WAC, Adult Correctional Institutions -- Medical Care -- Health Care

REPEAL: Chapter 275-91 WAC, Adult Correctional Institutions -- Medical Care -- Health Care

(2) ALTERNATIVE A. Use only for Adoption of Permanent Rules.

This action is taken pursuant to Notice No. filed with the code reviser on. These rules shall take effect: thirty days after they are filed with the code reviser pursuant to RCW 34.04.040(2). at a later date, such date being

(2) ALTERNATIVE B. Use only for Adoption of Emergency Rules.

I, Amos E. Reed, find that an emergency exists and that this order is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to public interest. A statement of the facts constituting the emergency is: It is necessary to transfer the former regulations of the Department of Social and Health Services relative to medical and health care at adult correctional institutions to the title of the Washington Administrative Code assigned to the Department of Corrections so that these regulations will correctly reflect current Department of Corrections policies with respect to the health, welfare, and safety of individuals assigned to its custody and control.

These rules are therefore adopted as emergency rules to take effect upon filing with the code reviser.

(3) Pursuant to the requirements of RCW 34.04.026 that "every agency shall incorporate the most specific, but in no case omit all, of the following language alternatives when adopting or amending rules" fill in statement (a), (b), or (c) as appropriate:

(a) This rule is promulgated pursuant to RCW and is intended to administratively implement that statute.

(b) This rule is promulgated pursuant to RCW which directs that the

has authority to implement the provisions of (agency) (name of act or RCW citation)

(c) This rule is promulgated under the general rule-making authority of the DEPARTMENT OF CORRECTIONS (agency)

as authorized in RCW 72.01.050, 72.01.090, 72.09.050

(4) The undersigned hereby declares that the agency has complied with the provisions of the Open Public Meetings Act (chapter 42.30 RCW), the Administrative Procedure Act (chapter 34.04 RCW) and the State Register Act (chapter 34.08 RCW) in the adoption of these rules.

(5) This order, after being first recorded in the order register of this agency, is herewith transmitted to the Code Reviser for filing pursuant to chapter 34.04 RCW and chapter 1-12 WAC.

APPROVED AND ADOPTED

JUN 7 1984

June 7, 1984 By Robert E. Trimble, Deputy Secretary Amos E. Reed, Secretary

CODE REVISER'S OFFICE WSR 84-13-007

Chapter 137-91 WAC

ADULT CORRECTIONAL INSTITUTIONS--MEDICAL CARE--HEALTH CARE

WAC

- 137-91-011 Medical/dental care--General policy.
- 137-91-021 Medical/dental services.
- 137-91-050 Use of allied health professionals.
- 137-91-060 Records.
- 137-91-070 Supplemental care.

NEW SECTION

WAC 137-91-011 MEDICAL/DENTAL CARE--GENERAL POLICY. The policy of the department of social and health services with regard to medical and dental care for inmates of adult correctional institutions is to provide, at a minimum, a degree of care which is designed to reasonably respond to an inmate's serious medical and dental needs. The considerations of proper medical/dental procedure, time and available resources are material in defining what is a reasonable response in any particular situation. More than the minimum level of care may be provided when such additional care comports with proper medical practice and is reasonably affordable from the department's resources. Serious medical needs are those which, if not responded to, will

- (1) Cause or allow to continue significant or debilitating pain; or
- (2) Cause significant deterioration of the inmate's medical condition during the period of his incarceration.

NEW SECTION

WAC 137-91-021 MEDICAL/DENTAL SERVICES. The medical/dental treatment program operated by the adult corrections division shall include the following services:

- (1) Regular environmental health inspections and, where appropriate, recommendations.
- (2) Initial examination when the inmate enters the adult correctional system. This examination shall include:
 - (a) A medical history;
 - (b) A physical examination, including funduscopy and ocular tonometry for residents over forty years of age, rectal examination as indicated, and other examinations as indicated;
 - (c) A chest film as indicated;
 - (d) Serology;
 - (e) Blood count;
 - (f) Urinalysis;
 - (g) Electrocardiogram as indicated;
 - (h) Visual and auditory acuity;
 - (i) Dental examination;
 - (j) For female residents, gonorrhea culture and Pap smear as indicated.
- (3) Immunizations as indicated.
- (4) Evaluation of capacity for work and recreation.
- (5) Period consultations, examinations and treatment as required for the medical and dental maintenance of each inmate in accordance with the policy discussed at WAC 275-91-011.

NEW SECTION

WAC 137-91-050 USE OF ALLIED HEALTH PROFESSIONALS. Allied health professionals may be used in the medical and dental health programs at each institution. When operating under the supervision of a licensed physician or dentist, an allied health professional may conduct initial screening, treat minor illnesses, and do related tasks.

NEW SECTION

WAC 137-91-060 RECORDS. Medical and dental records shall be maintained at the institution in which an inmate is housed. Upon the transfer of an inmate between state institutions, that inmate's medical and dental records shall be transferred along with the inmate. Records shall include all items of material interest to medical personnel and shall include

- (1) Detailed reports of admission medical evaluation and recommendations;
- (2) Progress notes regarding continuing health status including illnesses, hospitalizations, surgery, results of consultations and examinations, reports of tests done, and immunizations;
- (3) Reports made by outside consultants.

NEW SECTION

WAC 137-91-070 SUPPLEMENTAL CARE. Any inmate may, at his or her own expense, obtain medical or dental care additional to that mandated by the provisions of this chapter: PROVIDED, That a doctor or dentist in the department's employ certifies that the proposal for supplemental treatment comports with sound medical or dental practice. The time and place of the performance of the supplemental care are subject to the convenience of the prison's custody staff.

REPEALER

The following chapter of the Washington Administrative Code is repealed:

- (1) WAC 275-91-011 MEDICAL/DENTAL CARE--GENERAL POLICY.
- (2) WAC 275-91-021 MEDICAL/DENTAL SERVICES.
- (3) WAC 275-91-031 RIGHT TO REFUSE TREATMENT.
- (4) WAC 275-91-041 INVOLUNTARY TREATMENT--APPEALS.
- (5) WAC 275-91-050 USE OF ALLIED HEALTH PROFESSIONALS.
- (6) WAC 275-91-060 RECORDS.
- (7) WAC 275-91-070 SUPPLEMENTAL CARE.