


POLICY TITLE: PRISONER ADMINISTRATIVE, CASE MANAGEMENT, HEALTH CARE, SUBSTANCE ABUSE TREATMENT, AND PROGRAM RECORDS		PAGE <u>1</u> OF <u>7</u>
POLICY NUMBER: 11.3		
CHAPTER 11: PRISONER RECORDS		
	STATE of MAINE DEPARTMENT OF CORRECTIONS Approved by: <u><i>Martin Magnusson</i></u> Signature of Commissioner	PROFESSIONAL STANDARDS: See Section VII
EFFECTIVE DATE: February 1, 2002	LATEST REVISION: October 13, 2010	CHECK ONLY IF APA []

I. AUTHORITY

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

II. APPLICABILITY

All Departmental Adult Facilities

III. POLICY

It is the policy of the Maine Department of Corrections that designated staff establish and maintain prisoner administrative and case management records in accordance with all legal requirements and Department policies and procedures with respect to confidentiality, secure placement and preservation of records.

IV. CONTENTS

Procedure A: Administrative and Case Management Records
 Procedure B: Prisoner Health Care and Substance Abuse Treatment Records
 Procedure C: Prisoner Program Records

V. ATTACHMENTS

None

VI. PROCEDURES

Procedure A: Administrative and Case Management Records

1. Each facility shall maintain Administrative and Case Management records pertaining to each prisoner's custody, treatment, and progress at the facility

consistent with legal requirements, and Departmental policy and procedures.

2. The Chief Administrative Officer, or designee, shall ensure all appropriate staff receive training in recordkeeping associated with the management of Administrative and Case Management records.
3. The Administrative Record shall consist of the following:
 - a. intake documents
 - b. reception documents
 - c. supervised community confinement documents
 - d. disciplinary chronology
 - e. calculation of sentence documents
 - f. release documents
 - g. detainers and warrants
 - h. extradition and transfer documents
 - i. documents that prisoners may not have access to by law (for example, victim notification, pre-sentence investigation, furlough investigations, supervised community confinement investigations, and arresting agency's records)
 - j. DNA test verification document
 - k. substance abuse screening and assessment results
 - l. criminal justice agency and court documents
 - m. personal legal documents (e.g., driver's license, birth certificate, legal name change document, green card, social security card, and marriage certificate).
 - n. any Prisoner Deficiency Rating Forms
 - o. grievance records
 - p. all photographs taken of a prisoner

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
11.3 Prisoner Administrative, Case Management, Health Care, Substance Abuse Treatment and Program Records	11. Prisoner Records	Page 2 of 7 10/13/10R

- q. authorized visitor list
- r. restricted visitor list
- s. release of information forms signed by the prisoner
- t. property inventory

4. The Case Management record shall consist of following:

- a. the universal face sheet
- b. intake sheet
- c. hand writing sample
- d. current photograph
- e. housing chronology
- f. unit orientation sheet
- g. Individual Case Plan (ICP)
- h. Correctional Caseworker/Correctional Care and Treatment Worker case notes
- i. mental health restrictions and other conditions requiring monitoring
- j. medical restrictions and other conditions requiring monitoring
- k. prisoner behavior management forms
- l. incident reports
- m. special management housing status documents
- n. prisoner and staff request forms
- o. classification grid sheet
- p. academic and vocational education documents

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
11.3 Prisoner Administrative, Case Management, Health Care, Substance Abuse Treatment and Program Records	11. Prisoner Records	Page 3 of 7 10/13/10R

- q. summary of program participation
 - r. furlough documents
 - s. work related documents
 - t. disciplinary process records
 - u. correspondence
 - v. substance abuse assessment (DSAT)
 - w. interstate compact transfer requests
 - x. requests to receive voting information
 - y. selective service notification
 - z. copies of personal legal documents
5. Manual and automated prisoner records shall be labeled or flagged to indicate required prisoner separations. Intelligence and investigative information pertaining to prisoner separations must not be disclosed to the prisoners.
 6. Administrative Records shall be stored and maintained in secure lockable file cabinets within an administrative area outside the housing areas. When a staff member signs out a file, it shall be returned the same day. Only the Classification or Records Officer, or other designated supervisory staff, may authorize an exception or additional requirements related to the sign-out procedures.
 7. Case Management Records shall be stored and maintained in secure lockable file cabinets within the administrative area of the housing area or unit where the prisoner resides. When a staff member signs out a file, it shall be returned the same day. Only the Unit Manager, or other designated supervisory staff, may authorize an exception or additional requirements related to the sign-out procedures.
 8. If a prisoner is moved to another unit within the facility, the Correctional Caseworker/ Correctional Care and Treatment Worker shall ensure the Case Management Record is transferred to that unit.
 9. Case Notes shall be maintained in the Case Management Record by Correctional Caseworker/Correctional Care and Treatment Workers to record all formal and informal observations, interviews, and interactions with the prisoner in

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
11.3 Prisoner Administrative, Case Management, Health Care, Substance Abuse Treatment and Program Records	11. Prisoner Records	Page 4 of 7 10/13/10R

chronological order. If a prisoner is moved to another unit within the facility or to another facility, the Correctional Caseworker/Correctional Care and Treatment Worker from the receiving unit/facility shall continue case note entries immediately after the last entry by staff from the sending unit or facility.

Procedure B: Prisoner Health Care and Substance Abuse Treatment Records

1. The Chief Administrative Officer, or designee, shall designate the staff who are responsible for accountability and accuracy of recordkeeping systems pertaining to:
 - a. Prisoner’s health care records (including medical, dental, optometric, mental health records, etc), and
 - b. Substance abuse treatment records.
2. Health care and substance abuse treatment records shall be stored and maintained in a secure, lockable area.
3. Death certificates shall be maintained in the prisoner’s health care record and shall be included as part of the documentation for quality assurance reviews and critical incident reviews. A copy of each death certificate shall be forwarded to Central Office with monthly statistical information related to facility population reports.
4. Advance directives completed by prisoners shall be maintained as part of the prisoner’s health care record.

Procedure C: Prisoner Program Records

1. Designated program staff shall create and maintain accurate and up to date records of each prisoner’s participation in programs (including work assignments). The prisoner program record shall include, but is not limited to:
 - a. Any screening or assessment of the prisoner conducted in connection with the program,
 - b. Any training records
 - c. Description of the program assignment
 - d. Attendance and reasons for any absence,
 - e. Copies of program-related incident reports,

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
11.3 Prisoner Administrative, Case Management, Health Care, Substance Abuse Treatment and Program Records	11. Prisoner Records	Page 5 of 7 10/13/10R

- f. Progress reports,
 - g. Any tests, certificates, and special recognition documentation,
 - h. Any pertinent documentation from a previous program.
2. Program records shall be stored and maintained in secure lockable file cabinets within the designated storage area.
 3. A summary of each prisoner's program participation shall be prepared by the Correctional Caseworker/Correctional Care and Treatment Worker in conjunction with the prisoner's annual reclassification review and shall be included in the Case Management record.
 4. Program records may be requested for use in interim reclassification reviews.

VII. PROFESSIONAL STANDARDS

ACA:

ACI - 4-4095 Written policy and procedure govern case record management, including at a minimum the following areas: the establishment, use, and content of inmate records; right to privacy; secure placement and preservation of records; and schedule for retiring or destroying inactive records.

4-ACRS-7D-08 Procedures govern case record management, including, at a minimum, the following areas: the establishment, maintenance, use, and content of case records; and schedule for retiring or destroying inactive records. The policies and procedures are reviewed annually. All entries in the case record are signed and dated. Appropriate safeguards exist to minimize the possibility of theft, loss, or destruction of records. Records are safeguarded from unauthorized and improper disclosure. When any part of the information system is computerized, security ensures confidentiality. The facility uses a "release of information consent form" that complies with applicable federal and state regulations. Employees, consultants, and contract personnel are informed in writing about the facility's policies and procedures on confidentiality of information and agree in writing to abide by them.

4-ACRS-7D-09 A record is maintained for each offender and includes, at a minimum, the following information:

- Initial intake information form
- Case information and from referral source, if available
- Case history/social history
- Medical record, when available
- Individual plan or program
- Signed release of information forms

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
11.3 Prisoner Administrative, Case Management, Health Care, Substance Abuse Treatment and Program Records	11. Prisoner Records	Page 6 of 7 10/13/10R

- Evaluation and progress reports
- Current employment data and education data
- Program rules and disciplinary policy, signed by offender
- Documented legal authority to accept offender
- Grievance and disciplinary record
- Referrals to other agencies
- Approved visitation list
- Personal property inventory
- Final discharge report

POLICY NUMBER/TITLE	CHAPTER NUMBER/TITLE	PAGE NUMBER
11.3 Prisoner Administrative, Case Management, Health Care, Substance Abuse Treatment and Program Records	11. Prisoner Records	Page 7 of 7 10/13/10R