

**OREGON DEPARTMENT OF CORRECTIONS**  
**Operations Division**  
**Health Services Section Policy and Procedure #P-H-03**

SUBJECT: ACCESS TO CUSTODY INFORMATION

POLICY: The sharing of information among professionals responsible for the care, custody and treatment of inmates is a result of balancing the interests of the patient and the interests of others. There may be information in the patient's arrest and confinement record that could influence clinical decisions; therefore it is important that clinicians have access to those records.

REFERENCE: NCCHC Standard P-H-03  
P&P #P-A-08 Communication on Special Needs Patients  
P&P #P-H-02 Confidentiality of Health Records and Information  
P&P #P-H-02.1, Notification in Emergencies  
HIPAA 164.512 (5) (i) (ii)

PROCEDURE:

- A. Guidelines for Use of Information about Inmates Contained in Paper or Electronic form.
1. Health care personnel have unlimited access to information contained in the prison main file or on the automated offender database.
    - a. Information that may be useful to the clinician in the provision of health care may include but is not limited to the inmate's history of violence, drug and alcohol use, mental condition at the time of arrest, possession of medication, or the details of the crime leading to arrest.
  2. Health care personnel are expected to use professional judgment when accessing information from the prison main file or automated offender database. Guidelines to making a decision to seek information from the prison main file or automated offender database include:
    - a. The relevancy of the information to decisions about the care and treatment of the patient.
    - b. The ability of health care personnel to maintain neutrality and objectivity in the relationship with the patient.
    - c. The benefit to the patient resulting from a treatment decision based upon the information in the confinement record.
    - d. The ability of the health care professional to preserve the privacy and trust of the patient/provider relationship.

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- e. The relevancy of the information to the role of the health care provider seeking the information.
3. Health care personnel who access offender information shall be accountable for the use of the information obtained according to the guidelines outlined above.

Effective Date: \_\_\_\_\_

Revision date: November 2006

Supersedes P&P dated: April 2005