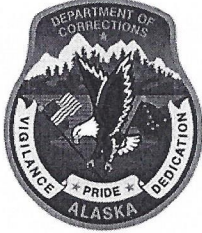
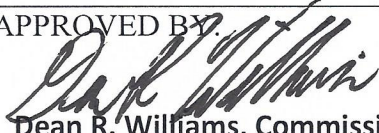


STATE OF ALASKA DEPARTMENT OF CORRECTIONS  POLICIES & PROCEDURES	SECTION: Health And Rehabilitation Services		PAGE: Page 1 of 6
	CHAPTER: 807	NUMBER: 807.07	P&P TYPE: Public
	TITLE: Prisoner Responsibility For Health Care		
	APPROVED BY:  Dean R. Williams, Commissioner		DATE: 12/22/16
ATTACHMENTS / FORMS: (A.) Health And Rehabilitation Services Charge Voucher.		AUTHORITY / REFERENCES: 22 AAC 05.121 AS 33.30.021 22 AAC 05.155 AS 33.30.028 AS 33.05.010 AS 44.28.030 AS 33.16.180 DOC P&P 808.11 AS 33.30.011 DOC P&P 1208.11	

EFFECTIVE DATE:

This policy will have a future effective date of 01/01/2017.

POLICY:

- I. It is the policy of the Department of Corrections (DOC) to have in place uniform procedures for charging prisoners fees for medical care.
- II. All new or re-admitted prisoners shall be provided with information about medical co-payments during their orientation. Copies of the Prisoner Health Plan shall be made available on the housing units and in the Law Library at each institution.
- III. The Department shall develop, implement, and monitor a system to charge for medical, dental, mental health, nursing and optical consultations, examinations, and treatments.
- IV. The Department shall provide all prisoners the opportunity to report physical health, behavioral health or other health problem and receive necessary health care services as determined by the health care staff. Services shall be provided before any charges are levied.
- V. Services shall not be denied or delayed based on the prisoner's inability to pay.
- VI. All prisoners are responsible for Health Care co-pays regardless of their financial status. If the prisoner does not have adequate funds in his / her account a debt shall be established.
- VII. Prisoners are responsible to cooperate with the Department in seeking funding for medical procedures and hospitalizations that may be paid for from other sources, e.g. Medicaid.

APPLICATION:

This policy and procedure will apply to all Department employees and prisoners.

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DEFINITIONS:

As used in this policy, the following definitions shall apply:

Essential Medical Care:

Essential care is indispensable care to prevent the progression of disease or the deterioration of a prisoner's health. The care must be determined by a health care provider:

- to be consistent with the standards of care of the Department; and
- ordered by an authorized health care provider; and
- not considered experimental or adequately supported by medical evidence to demonstrate efficacy; and
- not administered for the convenience of the prisoner or health care provider.

Health Care Staff:

Health care staff includes licensed physicians, psychiatrists, psychologists, emergency medical technicians, physician assistants, advanced practice registered nurse, registered or practical nurses, dentists, dental assistants, dental hygienists, optometrists, pharmacists, mental health clinicians, clinical social workers, psychological associates, dispensing opticians, physical therapists, and occupational therapist that provide preventive, curative, promotional or rehabilitative health care services.

Over-The-Counter Drugs:

Over-the-counter (OTC) drugs are those medications that do not require a prescription, such as Acetaminophen and Ibuprofen.

PROCEDURES:

I. Sick Call:

- A. All prisoners, including those on furlough and in restitution centers, may attend sick call.
- B. The Superintendent shall establish special procedures for prisoners posing a security risk in order to ensure access to sick call:
 1. Prisoners in administrative or punitive segregation shall have the same access to sick call as other prisoners. Health care staff shall visit the segregation unit(s) daily and perform welfare checks on all prisoners in restrictive housing. Each visit will be recorded in the segregation log in accordance with DOC P&P 1208.11, Permanent Record Logs, and all pertinent medical information related to the visit documented in the medical record.
 2. Prisoners whose health care needs are such that they cannot be cared for in segregation shall be transported to the medical clinic for care.

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II. Co-Payment Charges For Health Care Visits:

- A. Prisoners shall be charged a co-payment fee of five dollars (\$5.00) for each visit to health care staff.
- B. A prisoner with a chronic condition requiring ongoing treatment shall be charged for the initial visit, but not for follow up visits for the same condition, even if the prisoner is transferred to a different institution. If, however, the prisoner is with the Department for more than one year, the prisoner shall be charged a co-payment fee of \$5.00 once each year for ongoing treatment of the chronic condition. There is no additional charge for another illness discovered during a chronic care visit.

III. Co-Payment Charges For Other Services:

- A. Prisoners shall be charged a co-payment fee of five dollars (\$5.00) for initial prescriptions.
 - 1. An additional \$5.00 shall be charged for a change in a prescription if the change is requested by the prisoner, but not medically essential due to allergic reaction, unfavorable side effects, or other consequences that make taking the prescribed drug prohibitive. If the provider determines the need for a prescription change, there shall be no additional charge.
- B. The number of prescriptions does not change the price; e.g., if five prescriptions are filled at one time, the co-payment fee is five dollars (\$5.00).
- C. Prescriptions shall be valid for up to ninety (90) days. Thereafter, a new prescription shall be required for which a five dollar (\$5.00) co-payment fee shall be assessed.
- D. Prisoners are not required to initiate a visit with health care staff to obtain Over the Counter (OTC) drugs from commissary. If a provider determines that an over the counter medication is the best option for treatment and prescribes an OTC, a five dollar \$5.00 co-pay applies.
- E. A co-payment fee of five dollars (\$5.00) shall be charged for the use of medical equipment available in the institution, such as crutches, canes or neoprene braces.
- F. A co-payment fee of ten dollars (\$10.00) shall be charged for special order, patient-specific items such as eyeglasses, orthotics, shoes, braces or cardiac devices.
- G. A co-payment fee of twenty five dollars (\$25.00) shall be charged for the use of durable medical equipment, such as wheelchairs, walkers, or CPAP machines.
- H. A co-payment fee of twenty-five dollars (\$25.00) shall be charged for prosthetics such as hearings aids, dentures or artificial limbs.
- I. Unless good cause is shown in an appeal of a charge, five dollars (\$5.00) shall be charged when a prisoner does not show for an appointment the prisoner has requested or scheduled.

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- J. Unless good cause is shown in an appeal of the charge, twenty-five dollars (\$25.00) shall be assessed if a prisoner refuses to attend a scheduled outside medical appointment.
- K. Charges for repair or replacement of medical equipment due to loss or improper care by the prisoner, or resulting from an assault or other violation of institutional rules, shall be the responsibility of the prisoner.

IV. Exemptions From Co-Payment Charges:

Prisoners will not be charged co-payment fees for any of the following services:

- A. Initial prescriptions, changes, or renewals of for drugs used to treat severe and persistent mental illness such as schizophrenia, bipolar disorder, and other psychotic disorders;
- B. Initial prescriptions, changes, or renewals of prescription drugs used to treat reportable diseases such as tuberculosis, hepatitis or HIV;
- C. Admission health care screenings and admission physical exams;
- D. Mental health assessments and screenings;
- E. Education services provided by health care staff;
- F. Medication line visits;
- G. Testing and treatment of staph infections, pregnancy, HIV, AIDS, TB, sexually transmitted or other reportable diseases;

V. Medical Costs Billed To Other Parties:

A prisoner is not financially responsible for a co-payment fee for health care services, if the prisoner cooperates with the Department to obtain payment from one or more of the responsible parties set out below:

- A. Individual or group health insurance providers;
- B. Veteran Affairs;
- C. Department of Health and Social Services as payer for public assistance benefits;
- D. Native American Health Services (United States Public Health Services, Indian Health Services, etc.); and
- E. Parent or guardian, if the prisoner is under the age of 18.

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VI. Administrative Requirements:

A *Health And Rehabilitation Services Charge Voucher* (Attachment A) shall be completed for each visit made by a prisoner to health care staff. Health care staff shall ensure the form is completed and the necessary charges are assigned.

- A. Health care staff must record on the voucher the prisoner's Offender Number and date of birth, as well as the date, time, and location of service.
- B. After a three (3) day waiting period, the white original of the voucher shall be sent to the institution's business office. The yellow copy shall be given to the prisoner at the end of the visit. The pink copy shall be retained in the medical department.
- C. Prisoners in institutions shall have payment fees deducted from their Offender Trust Accounts (OTA) at least once per month. Prisoners on furlough and in restitutions centers who receive medical care shall have payment fees deducted from their personal accounts at the community residential centers. Payment shall then be made to the Department of Corrections Contract Oversight Officer by the 20th of each month.
- D. Prisoners who do not have funds in their accounts shall be provided medical care and charges for that medical care shall be assessed as above. A debt shall be incurred until funds become available in the prisoner's account.

VII. Appeal Of Charges:

A prisoner may challenge a charge for health care services by submitting a written appeal to institution Health Care staff within three (3) working days of receiving notice of the deduction. The prisoner may use a Request for Interview Form (see DOC P&P 808.11, Communication Between prisoners And Staff) to file the appeal and must explain the reason(s) why the charges are incorrect. Health Care staff shall respond with a written decision to the prisoner within three (3) working days of receipt of the challenge.

- A. The decision of institutional health care staff may be appealed by the prisoner in writing within seven (7) working days to the Department Health Care Administrator (HCA). The decision of the HCA is the final decision of the Department.
- B. Health Care staff shall forward the voucher to the staff member responsible for entering OTA fees if there is no challenge in the specified time or if the challenge is denied. Fees that have been incorrectly deducted shall be reimbursed consistent with the decision on appeal.
- C. The appeal process for health care charges is not subject to the grievance process and can only be appealed to the Health Care Administrator.

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D. Challenges to medical charges received after three (3) working days, and appeals received after seven (7) working days shall not be accepted unless good cause can be shown by the prisoner.

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