

Australian Capital Territory

Corrections Management (Medical Treatment) Policy 2007*

Notifiable instrument NI2007-451

made under the

Corrections Management Act 2007, section 14(1) (Corrections policies and operating procedures)

1 Name of instrument

This instrument is the *Corrections Management (Medical Treatment) Policy 2007*.

2 Commencement

This instrument commences on the day after it is notified.

3 Policies and operating procedures

Under section 14 of the *Corrections Management Act 2007* (the Act), I make the

MEDICAL TREATMENT POLICY

in Schedule 1 to this instrument, to facilitate the effective and efficient management of correctional services.

James Ryan
Executive Director
ACT Corrective Services
17 December 2007

*Name amended under Legislation Act, s 60



**Belconnen Remand Centre (BRC)
Symonston Temporary Remand Centre (STRC)**



MEDICAL TREATMENT POLICY

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Purpose

To ensure that prisoners have access to essential medical, dental and mental health services in keeping with generally accepted community practices.

Authority

Legislation

Corrections Management Act 2007, sections 14, 53, 68, and 77

Health Records (Privacy and Access) Act 1997, section 5

Health Professionals Act 2004

Policy

1 Principles

- 1.1 The *Corrections Management Act 2007* states that prisoners have a legally enforceable entitlement to a standard of health care equivalent to that of other people in the ACT.
- 1.2 Every prisoner is to be medically examined by a suitably qualified health professional within 4 hours after being received into the BRC/STRC and thereafter as necessary.
- 1.3 If the necessary facilities are not available in the BRC/STRC the Superintendent may direct that a detainee be transferred to a medical facility outside of the BRC/STRC.
- 1.4 The confidentiality of medical information shall be maintained to preserve each prisoner's individual entitlement to privacy. However, in accordance with section 77 of the *Corrections Management Act 2007* and section 5 of the *Health Records (Privacy and Access) Act 1997*, the Superintendent may seek health reports from other agencies.

2 Health care services

- 2.1 Prisoners shall have access to screening, referral and treatment services.
- 2.2 Essential services shall include:

- Emergency health care (i.e. delay of the service will endanger the life of the prisoner);
 - Urgent health care (i.e. the condition is likely to deteriorate and affect the prisoner's ability to carry on the activities of daily living);
 - Mental health care provided in response to disturbances of thought, mood, perception, orientation or memory that significantly impairs judgment, behaviour, the capacity to recognise reality or the ability to meet the ordinary demands of life. This includes the provision of both acute and long-term mental health care services.
 - Dental care of acute dental conditions where the inmate is experiencing swelling pain or trauma, preventive treatment (i.e. necessary fillings, extractions, etc.) subject to the motivation displayed by the prisoner to take an active part in the process; and removable dental prostheses as recommended by the BRC/STRC doctor. All other dental care will be initiated and funded by the prisoner.
- 2.3 Prisoners shall have reasonable access to other health services, which may be provided in keeping with community practice. The provision of these services will be subject to considerations such as the length of time prior to release and operational requirements.
- 2.4 In support of providing essential health services, emphasis will be placed on health promotion/illness prevention.

3 Health care delivery

- 3.1 Emergency medical attention will be provided on a 24-hour basis. Access can be provided through on-site coverage, on an on-call basis, or through other community services such as hospitals.
- 3.2 All staff shall be responsible for bringing to the attention of a Health Professional the condition of any prisoner who appears to be ill, whether he/she complains or not.
- 3.3 A prisoner's request for health services shall be relayed to a health care professional without delay. Where possible this should include the reason for the request.
- 3.4 A nurse or other Health Professional shall screen detainees requesting routine health services.
- 3.4.1 Following this triage, prisoners will be referred to a clinician as appropriate.
- 3.5 Health Education and Promotion Programs shall be provided to meet the identified needs of individual prisoners and specific prisoner groups.

References

- Department of Justice and Community Safety. (2005). *Personal Information Digest*. Canberra: ACT Government;
- ACTCS Records Management Policy
- ACTCS Records Management Procedure;
- ACTCS Records Management Disposal Schedule

Forms/Templates

Prisoner Request Form