

**CHAPTER 16
MEDICAL AND HEALTH SERVICES**

Authority

N.J.S.A. 30:1B-6 and 30:1B-10.

Source and Effective Date

R.2005 d.179, effective May 11, 2005.
See: 37 N.J.R. 188(a), 37 N.J.R. 2020(b).

Chapter Expiration Date

Chapter 16, Medical and Health Services, expires on May 11, 2010.

Chapter Historical Note

Chapter 16, Medical and Health Services, was adopted as R.1987 d.160, effective April 6, 1987. See: 18 N.J.R. 1662(a), 19 N.J.R. 535(a).

Subchapter 6, Pregnant Inmates, was repealed and Subchapter 6, Pregnant Inmates, was adopted as new rules by R.1987 d.305, effective July 20, 1987. See: 19 N.J.R. 503(a), 19 N.J.R. 1318(b).

Subchapter 11, Medical Unit Annex, was renamed "Special Medical Unit", by R.1988 d.142, effective April 4, 1988. See: 20 N.J.R. 163(b), 20 N.J.R. 810(a).

Subchapter 11, Special Medical Unit, was repealed and Subchapter 11, Special Medical Units, was adopted as new rules by R.1990 d.249, effective May 21, 1990 (operative May 29, 1990). See: 22 N.J.R. 310(c), 22 N.J.R. 1606(a).

Subchapter 12, Suicide, was adopted as R.1991 d.439, effective August 19, 1991. See: 23 N.J.R. 1756(a), 23 N.J.R. 2510(a).

Subchapter 13, Commitment for Psychiatric Treatment, was adopted as R.1992 d.23, effective January 6, 1992. See: 23 N.J.R. 1890(a), 24 N.J.R. 104(a).

Pursuant to Executive Order No. 66(1978), Chapter 16, Medical and Health Services, expired on April 6, 1992.

Chapter 16, Medical and Health Services, was adopted as new rules and Subchapter 10, Lethal Injection, of former Chapter 16 was recodified as N.J.A.C. 10A23-2 by R.1992 d.283, effective July 6, 1992. See: 24 N.J.R. 1677(a), 24 N.J.R. 2452(a).

Subchapter 11, Special Medical Units, was repealed by R.1995 d.525, effective September 18, 1995. See: 27 N.J.R. 2675(a), 27 N.J.R. 3613(a).

Pursuant to Executive Order No. 66(1978), Chapter 16, Medical and Health Services, expired on July 6, 1997.

Chapter 16, Medical and Health Services, was adopted as new rules by R.1999 d.426, effective December 6, 1999. See: 31 N.J.R. 2531(a), 31 N.J.R. 4045(b).

Chapter 16, Medical and Health Services, was readopted as R.2005 d.179, effective May 11, 2005. See: Source and Effective Date. See, also, section annotations.

Subchapter 15, Keep On Person (KOP) Medication, was adopted as new rules by R.2007 d.217, effective July 16, 2007. See: 39 N.J.R. 749(a), 39 N.J.R. 2650(a).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. GENERAL PROVISIONS

- 10A:16-1.1 Purpose
- 10A:16-1.2 Scope

- 10A:16-1.3 Definitions
- 10A:16-1.4 Forms
- 10A:16-1.5 Medical co-payment
- 10A:16-1.6 Quality Assurance Program

SUBCHAPTER 2. MEDICAL SERVICES

- 10A:16-2.1 Medical services provided
- 10A:16-2.2 Director of Medical Services, Department of Corrections
- 10A:16-2.3 Administration of medical services and program
- 10A:16-2.4 Licensure and certification
- 10A:16-2.5 Medical students, interns and residents
- 10A:16-2.6 Use of community facilities and medical specialty consultants
- 10A:16-2.7 Inmate work assignments in medical services
- 10A:16-2.8 Sick call
- 10A:16-2.9 Correctional facility infirmary
- 10A:16-2.10 Emergency medical treatment
- 10A:16-2.11 Medical examinations
- 10A:16-2.12 Food handlers and special activity medical examinations
- 10A:16-2.13 Medical facilities and equipment
- 10A:16-2.14 First aid kits, disaster boxes and equipment
- 10A:16-2.15 Reportable diseases
- 10A:16-2.16 Prosthetic devices
- 10A:16-2.17 Satellite units, correctional community-based facilities and home confinement
- 10A:16-2.18 Medical records
- 10A:16-2.19 Informed consent for treatment
- 10A:16-2.20 Medical research or experimentation prohibited
- 10A:16-2.21 Reporting responsibilities of all medical services
- 10A:16-2.22 Medical Services Manual and log book
- 10A:16-2.23 Annual inspection

SUBCHAPTER 3. DENTAL SERVICES

- 10A:16-3.1 Director of Dental Services, Department of Corrections
- 10A:16-3.2 Administration of dental services and program(s)
- 10A:16-3.3 Dental staff
- 10A:16-3.4 Licensure
- 10A:16-3.5 Dental personnel identifications badges
- 10A:16-3.6 Inmate work assignments in dental clinics
- 10A:16-3.7 Dental services coverage
- 10A:16-3.8 Use of community facilities and consultants
- 10A:16-3.9 Dental intake screening and comprehensive dental examination
- 10A:16-3.10 Dental treatment classification and priority treatment guidelines
- 10A:16-3.11 Routine dental treatment
- 10A:16-3.12 Oral surgery
- 10A:16-3.13 Preventive dentistry
- 10A:16-3.14 Administration of medications
- 10A:16-3.15 Local anesthesia
- 10A:16-3.16 General anesthesia
- 10A:16-3.17 Records
- 10A:16-3.18 Informed consent for treatment
- 10A:16-3.19 Dental equipment and supplies
- 10A:16-3.20 Dental research
- 10A:16-3.21 Reporting responsibilities of all dental services
- 10A:16-3.22 Dental services manual
- 10A:16-3.23 Annual inspection

SUBCHAPTER 4. MENTAL HEALTH SERVICES

- 10A:16-4.1 Health Services Unit, Director of Psychological Services
- 10A:16-4.2 Correctional facility staff, structure and licensure
- 10A:16-4.3 Access to mental health services
- 10A:16-4.4 Inmate/therapist confidentiality
- 10A:16-4.5 Mental health services manual
- 10A:16-4.6 Records

- 10A:16-4.7 Psychological research
- 10A:16-4.8 Reporting responsibilities regarding all mental health services
- 10A:16-4.9 Annual inspection

SUBCHAPTER 5. INFORMED CONSENT TO PERFORM MEDICAL, DENTAL OR SURGICAL TREATMENT

- 10A:16-5.1 Express written consent required
- 10A:16-5.2 Exception to inmates 18 years or older written consent requirement
- 10A:16-5.3 Inmate treatment refusal
- 10A:16-5.4 Special medical guardianship of inmates
- 10A:16-5.5 Written procedures

SUBCHAPTER 6. PREGNANT INMATES

- 10A:16-6.1 Care of pregnant inmates
- 10A:16-6.2 Obstetrical services
- 10A:16-6.3 Maternity clothes, housing assignments, exercise and work schedules
- 10A:16-6.4 Termination of pregnancy
- 10A:16-6.5 Father of the child
- 10A:16-6.6 Placement of infants
- 10A:16-6.7 Written procedures

SUBCHAPTER 7. CRITICAL ILLNESS OR DEATH OF INMATES

- 10A:16-7.1 Notification of next of kin
- 10A:16-7.2 Advance directive
- 10A:16-7.3 Security procedures upon the death of an inmate
- 10A:16-7.4 Claiming bodies of deceased inmates
- 10A:16-7.5 Burial or cremation of unclaimed bodies
- 10A:16-7.6 Distribution of money and personal belongings of deceased inmates
- 10A:16-7.7 Written procedures

SUBCHAPTER 8. EXECUTIVE CLEMENCY AND MEDICAL PAROLE

- 10A:16-8.1 Eligibility requirements for executive clemency
- 10A:16-8.2 Petition for executive clemency
- 10A:16-8.3 Role of the Administrator
- 10A:16-8.4 Role of the Commissioner
- 10A:16-8.5 Medical parole

SUBCHAPTER 9. BLOOD, TISSUE AND ORGAN DONATION BY INMATES

- 10A:16-9.1 Blood, tissue and organ donation

SUBCHAPTER 10. MEDICAL TRANSFER

- 10A:16-10.1 Medical transfer

SUBCHAPTER 11. INVOLUNTARY PSYCHOTROPIC MEDICATIONS

- 10A:16-11.1 Authority
- 10A:16-11.2 Treatment Review Committee
- 10A:16-11.3 Notification of inmate of involuntary medication hearing
- 10A:16-11.4 Inmate rights during the involuntary medication(s) hearing proceeding
- 10A:16-11.5 Emergency mental health treatment
- 10A:16-11.6 Failure to adhere to time limits
- 10A:16-11.7 Treatment Review Committee decision

SUBCHAPTER 12. SUICIDE PREVENTION

- 10A:16-12.1 Reporting potential suicidal behavior
- 10A:16-12.2 Decision making criteria for placing an inmate on or releasing an inmate from suicide watch
- 10A:16-12.3 Temporary placement on suicide watch
- 10A:16-12.4 Psychological/psychiatric review

- 10A:16-12.5 Change in suicide watch status
- 10A:16-12.6 Daily written report
- 10A:16-12.7 Personal property
- 10A:16-12.8 Release from suicide watch
- 10A:16-12.9 Attempt to commit suicide
- 10A:16-12.10 Cutting tool
- 10A:16-12.11 Post orders, policies and procedures

SUBCHAPTER 13. COMMITMENT FOR PSYCHIATRIC TREATMENT

- 10A:16-13.1 Psychiatric commitments
- 10A:16-13.2 Psychiatric admission
- 10A:16-13.3 Psychiatric commitment of inmates to the Forensic Psychiatric Hospital
- 10A:16-13.4 (Reserved)
- 10A:16-13.5 Screening service commitment of inmates
- 10A:16-13.6 Transportation

SUBCHAPTER 14. (RESERVED)

SUBCHAPTER 15. KEEP ON PERSON (KOP) MEDICATION

- 10A:16-15.1 Authority
- 10A:16-15.2 Distribution of and instructions for inmate use of KOP medication
- 10A:16-15.3 Inmate responsibility and compliance associated with KOP medication
- 10A:16-15.4 KOP medication spot checks
- 10A:16-15.5 Searches
- 10A:16-15.6 Handling of KOP medication upon transfer of an inmate
- 10A:16-15.7 Handling and storage of KOP medication
- 10A:16-15.8 KOP records and compliance requirements

SUBCHAPTER 1. GENERAL PROVISIONS

10A:16-1.1 Purpose

(a) The purpose of this chapter is to establish guidelines for:

1. Providing medical services for inmates;
2. Providing dental services for inmates;
3. Providing mental health services for inmates;
4. Obtaining informed consent from an inmate to perform certain medical, dental or surgical procedures;
5. Providing assistance to pregnant inmates and placement of their newborn;
6. Providing notification to next of kin in the event of an inmate's critical illness or death;
7. Providing for burial or cremation of unclaimed inmate bodies;
8. Applying for executive clemency;
9. Establishing policies and procedures regarding inmate co-payment for eligible health and dental services and treatment;
10. Donation of blood, tissue(s) and organ(s) by inmates;