

**CHAPTER 16
MEDICAL AND HEALTH SERVICES**

Authority

N.J.S.A. 3B:10-3 and 4, 13:1E-48 et seq., 26:2D-27d, 26:2H-55 et seq., 30:1B-6, 30:1B-10, 30:4-27 et seq., 30:7E-1 et seq., 45:25-1 et seq., 46:6-1 et seq. and 46:30B-1 et seq.; N.J.A.C. 7:26-3A, 8:57-1, 13:30-8.7 and 8.9 and 13:35-6.5; and *Roe v. Fauver*, C.A. No. 88 1255(AET), (D.N.J., March 3, 1992), *Jaffee v. Allen*, 64 U.S.L.W. 4490 (U.S. Supreme Court 1996) and *Washington, et al. v. Harper*, 494 U.S. 210, 110 S.Ct. 1028 (1990).

Source and Effective Date

R.1999 d.426, effective December 6, 1999.
See: 31 N.J.R. 2531(a), 31 N.J.R. 4045(b).

Executive Order No. 66(1978) Expiration Date

Chapter 16, Medical and Health Services, expires on December 6, 2004.

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Subchapter 6, Pregnant Inmates, was repealed and Subchapter 6, Pregnant Inmates, was adopted as new rules by R.1987 d.305, effective July 20, 1987.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Subchapter 11, Special Medical Unit, was repealed and Subchapter 11, Special Medical Units, was adopted as new rules by R.1990 d.249, effective May 21, 1990 (operative May 29, 1990).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Subchapter 11, Special Medical Units, was repealed by R.1995 d.525, effective September 18, 1995.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: Source and Effective Date.

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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 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 by inmates;
11. Involuntary psychotropic medications;
12. Medical transfer; and
13. The identification, placement and monitoring of inmates who are deemed to be at risk for suicide.

10A:16-1.2 Scope

This chapter shall be applicable to all correctional facilities within the Department of Corrections unless the context clearly indicates otherwise.

10A:16-1.3 Definitions

The following words and terms, when used in this chapter, shall have the following meanings: