

 <p>CD-170800</p>	<p>NEW MEXICO CORRECTIONS DEPARTMENT</p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>
	<p>ISSUE DATE: 01/06/04 REVIEW/REVISED: 06/05/14 EFFECTIVE DATE: 01/06/04</p>
	<p>TITLE: Medical Records Department</p>

AUTHORITY:

- A. NMSA, 1978, Section 33-1-6, as amended.
- B. NMSA, 1978, Section 36-2-32, as amended.
- C. NMAC 1.13.10
- C. 5 USCA, Section 522. A Privacy Act.
- D. Policies CD-170000, 170100.
- E. Public Law 93-579 (December 31, 1974).

REFERENCE:

- A. ACA Standards 4-4281-8, 4-4396, 4-4413 thru 4-4415, *Standards for Adult Correctional Institutions*, 4th Edition.
- B. ACA Standard 2-CO-4E-01, *Standards for the Administration of Correctional Agencies*, 1993.
- C. NCCHC: P-H-01, P-H-02, P-H-04, P-H-05
- D. Medical Records Management, Huffman, 7th Edition, Physician's Record Company, 1981.
- E. Legal Handbook, New Mexico Hospital Association, 1984 Revision.
- F. Standards for Health Services in Prisons, National Commission of Correctional Health Care, January 2003.

PURPOSE:

To set forth basic guidelines for the organization and functioning of the Medical Records Department of the Health Services Department. [2-CO-4E-01]

APPLICABILITY:

This policy applies to all Health Services Department employees, contract health care providers, any employee assigned to a duty, which is related to the provision of health care, and to all inmates.

FORMS:

None

ATTACHMENTS:

- A. Medical Chrono Attachment (CD-170802.A)

DEFINITIONS:

- A. Emergency Situation: A situation that could endanger an individual inmate or inmate population to the degree that death, injury, illness or riot could reasonably occur.
- B. Medical Chart: (aka Medical File): A medical chart is a confidential collection of medical record documents which contains detailed and comprehensive information on an individual and the healthcare experience related to that person. Medical charts are the collection of record documents of an individual's clinical status, care, history, and caregiver involvement. The specific information contained in the chart is intended to provide a record of a person's clinical condition by detailing diagnoses, treatments, tests and responses to treatment, as well as any other factors that may affect the person's health or clinical state.
- C. Medical Record Document: A confidential written or electronic record of the actions taken in the provision of health care, an item regarding the provision of health care which is customarily preserved in a medical chart, or a collation of material that associates unique identifiers to medical information, for a particular individual or individuals.
- D. Privacy Rule (aka HIPAA Privacy Rule, Standards for Privacy of Individually Identifiable Health Information): Federal Statute located at 45 CFR Part 160 and Subparts A and E of Part 164, which governs the rules for privacy for covered entities.
- E. Record-level Patient Data: means those contents of a medical record document which contains unique and non-aggregated data elements that relate to a single identifiable individual, as well as specific medical information for that individual; as used in the Health Information System Act [24-14A-1 NMSA 1978]
- F. Redacted Medical Record Document: A medical record document that has undergone redaction, and no longer contains unique identifiers.
- G. Redaction: The process of indelibly altering, defacing or removing all unique identifiers from a medical record document.
- H. Record Spoliation: The intentional or negligent altering, destroying, or concealing an original medical record document or other material having potential evidentiary value in the review of patient care, whether or not such review is immediately anticipated.
- I. Terminal Digit Filing: A filing system utilizing the last two numbers of a patient's numbers first. A system that is set up in 100 primary sections beginning with 00 and running to 99. It allows for equal expansion of the files, confidentiality, eases purging, simplifies planning and substantially reduces misfiling.

- J. Transfer: Movement of an inmate from one New Mexico Corrections Department or private facility to another, usually on a permanent basis, or to a community corrections program or out-of-state.
- K. Transport: Movement of an inmate from a New Mexico Corrections Department or private facility to a hospital, court, another facility, a special program or the Forensic Treatment Unit. This transport can result in a temporary absence of several months.
- L. Unique Identifier: Any information, text, symbol on a medical record document that permits the identification from that document of the individual for whom the medical record document was created. An essential element of "record-level patient data" that identifies an individual patient concretely and unambiguously.

POLICY:

A. Responsibility:

The method of recording entries in the records, the form and format of the records, and the procedures for their maintenance and safekeeping are approved by the health authority and maintained by the Medical Records Department. This responsibility shall include but not be limited to: [4-4413]

1. Terminal Digit Filing System.
2. Policy determinations of how information is provided to correctional and classification staff to address the medical needs of the offender as it relates to preparation and transport.
3. Non-emergency offender transfers require that health record confidentiality is to be maintained, summaries, originals, or copies of the health record accompany the offender to the receiving facility, health conditions, treatments, and allergies should be included in the record, determination of suitability for travel based on medical evaluation is made, with particular attention given to communicable disease clearance, written instructions regarding medication or health interventions required en route should be provided to transporting officers separate from the medical record, specific precautions (including standard) are to be taken by transportation officers (for example, masks or gloves), a medical summary sheet is required for all inter and intra system transfers to maintain the provision of continuity of care. Information included does not require a release of information form. Inmates confined within a correctional complex with consolidated medical services do not require health screening for intra-system transfers. [4-4414]

4. Off-site Appointment Systems or Designee appointed by HSA (with a medical background).
5. Health record confidentiality is to be maintained. The principle of confidentiality protects offender patients from disclosure of confidences entrusted to a health care provider during the course of treatment.
6. Assistance to the Medical Director and Continuous Quality Improvement (CQI).
7. Completion of Medical Record Charts.
8. Maintenance of Problem-Oriented Medical Record Format.
9. Intake and Transfer Medical Clearance (hereby referred to as Chronos).

B. Staffing:

The Health Services Administrator, and/or Registered Health Information Tech (RHIT), shall supervise the Medical Records Departments. Health Information Technicians are responsible for daily records operations.

C. Confidentiality:

1. The principle of confidentiality applies to an offender's health records and information about an offender's health status. **[4-4396]**
 - The active health record is maintained separately from the confinement case record.
 - Access to health records is in accordance with state and federal law.
 - To protect and preserve the integrity of the facility, the health authority will share with the superintendent or the Warden information regarding an offender's medical management, security and ability to participate in programs in accordance with state law.
 - The circumstances are specified when correctional staff should be advised on an offender's health status. Only that information necessary to preserve the health and safety of an offender, other offenders, volunteers, visitors, or the correctional staff, or otherwise serves a concrete and legitimate penological objective, is provided.
 - Procedure determines how information is provided to correctional and classification staff, to address the medical needs of the offender as it relates to housing, program placement, security, and transport.

- The release of health information complies with the Health Insurance Portability and Accountability Act (HIPAA), where applicable, in a correctional setting.
- 2. The Privacy Rule guides but does not govern in matters of Privacy of Medical Record Charts within the New Mexico Corrections Department, unless the New Mexico Corrections Department becomes a covered entity under the terms of HIPAA..
- 3. Health record information is transmitted to specific and designated physicians or medical facilities in the community upon the written request or authorization of the offender. **[4-4115]**
- 4. Providers of addictions and/or mental health counseling services, who are licensed by the Registration and Licensing Department, and who care for and counsel NMCD client inmates, are authorized to review the medical chart/ file as a contributory resource for providing client inmate care.
- 5. All unredacted reproductions, photocopies, facsimiles and other collations or copies of a medical record document shall be handled with the same due consideration of privacy as the original medical documents themselves.

D. Production of Medical Record Charts:

1. To inmates: As to inmates who are either requesting or have filed a Notice of Claim with no lawsuit, Health Services will provide their Medical Record Charts and will charge them a \$5.00 processing fee, plus a .50 per page copy for reproduction of records. Once an inmate has actually filed a lawsuit and included in that lawsuit is an Order to Proceed in Forma Pauperis, pursuant to recent court decisions, Health Services is expected to provide the Medical Record Charts to the plaintiff free of charge.
2. To attorneys: Health Services will charge a \$5.00 processing fee plus .50 per page for reproduction of records.

E. Reproduction of Medical Record Documents for Review, Audit or Evaluation.

1. Medical records shall only be copied when there is a clear and convincing need to do so.
2. Collation of material that contains unique identifiers as well as medical information is as sensitive as unredacted medical chart documentation.
3. Creation of unredacted copies of Medical Record Documents or collections of information must be done only to further an important individual patient interest in a way that is substantially related to that interest.

4. Any collection of copies of unredacted Medical Record Documents shall be itemized in their entirety and indexed for their contents as soon as they are created. The index shall include the UI of the patient, the nature of the record and the date. An index is critically important if there is a loss of document security.
5. Both unredacted and redacted reproductions of Medical Record Documents shall be destroyed when the need for their existence ends.

F. Retention of Medical Record Documents:

1. Active Medical Record Documents will be stored on-site within the medical unit.
2. Inactive files will be forwarded to the Central New Mexico Correctional facility, to be kept for a period of two years. At the end of the second year, inmate files will be forwarded to State Records and Archives for a period of eight years. The storage of State records is governed by the regulations of the State of New Mexico Administrative Code on Public Records, e.g. 1.13.10 NMAC. **[4-4415]**
3. In the event that an inmate returns to the system, the file may be retrieved from State Records and Archives.
4. Record Spoliation is an unacceptable infraction against state property. Any reasonable suggestion that a record has been deliberately or recklessly spoliated, or otherwise inadvertently damaged sufficient to cause the loss of medical information beyond reclaim, shall be reported to the New Mexico Corrections Department medical director and/or the Office of Professional Standards (OPS) branch of the New Mexico Corrections Department.

- G. All case records associated with claims of sexual abuse, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment and/or counseling shall be retained in accordance with an established schedule. **[4-4281-8]**



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

06/05/14
Date

 <p>CD-170801</p>	<p>NEW MEXICO CORRECTIONS DEPARTMENT</p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	<p>ISSUE DATE: 01/06/04</p>	<p>REVIEW/REVISED: 06/05/14</p>
	<p>EFFECTIVE DATE: 01/06/04</p>	
<p>TITLE: Medical Records Documentation Guidelines</p>		

AUTHORITY:

Policy *CD-170800*

PROCEDURES: [4-4281-8]

A. The health record file (paper and/or electronic) is complete and contains the following items filed in a uniform manner: **[4-4413]**

1. Patient identification on each sheet.
2. A completed receiving screening form.
3. Health appraisal data forms.
4. A problem summary list.
5. A record of immunizations.
6. All findings, diagnoses, treatments, and dispositions.
7. A record of prescribed medications and their administration records, if applicable.
8. Laboratory, x-ray, and diagnostic studies.
9. The place, date, and time of health encounters.
10. Health service reports (for example, emergency department, dental, mental, health, telemedicine, or other consultations)
11. An individualized treatment plan, when applicable.
12. Progress reports.
13. A discharge summary of hospitalization and other termination summaries.
14. A legible signature (includes electronic) and the title of the provider (may use ink, type, or stamp under the signature).
15. Consent and refusal forms.
16. Release of information forms.

The method of recording entries in the records, the form and format of the records, and the procedures for their maintenance and safekeeping are approved by the health authority. The health record is made available to, and is used for documentation by, all practitioners. **[4-4413]**

B. Entries must be permanent, always using black ink or a typewriter.

- C. Entries must be well written the first time around, being:
 - 1. Specific, avoiding generalizations.
 - 2. Objective, conclusions should not be drawn.
 - 3. Complete, recording everything significant to patient's condition and course of treatment.
- D. Any special treatment and the reason for it shall be documented.
- E. Unusual occurrences, i.e., a fall, shall be recorded together with the remedial steps taken and the patient's response or condition. **DO NOT** enter "Incident Report filed."
- F. Thought processes shall be displayed, i.e., showing that all available evidence was prudently weighed and a decision was carefully made.
- G. The S-O-A-P-E format will be used for notes, as follows:
 - S = Subjective Element - the patient's expression of his condition, pain, complaints, reactions.
 - O = Objective Element - the evidence of tests, lab findings, observations.
 - A = Assessment - the professional's evaluation of the situation; his or her judgment based on the evidence.
 - P = Plan - the course of treatment chosen.
 - E = Education – Professional instruction regarding what patient was trained in and what he or she should know and do.
- H. Progress notes require special attention. Note the problem or symptom being addressed, the precise treatment administered, the patient's reaction and the patient's status at the time treatment was discontinued. Describe the reasons for undertaking; modifying or discontinuing a particular treatment (will be monitored in Observation room).
- I. Special care shall be taken in documenting patient education and instructions in self-care. Documentation will be provided that the patient was fully and carefully informed and trained in what he or she must know and do.
- J. All instances of informed consent shall be noted. Surgical procedure consent shall be complete and filed appropriately.

- K. All entries will be made promptly, providing an instant replay of what just transpired in the patient's treatment.
1. Intake screening will be recorded on intake/receipt of transfer.
 2. Surgical/procedure notes will be recorded immediately after the surgical/procedure is completed.
 3. Telephone or other verbal orders are to be countersigned within 24 hours.
- L. All documentation/notes will be written legibly.
- M. Continuous entries will be made. Lines will not be skipped between entries or spaces left without entries; traditional formats will be used.
- N. Entries will be consistent, avoiding contradictions. Dates, body sizes, age, etc., will match.
- O. Corrective entries will be made carefully. Material will not be obliterated on the record by scratching out, using "white out," felt-tip markers or typewriter XXXXX's. A record will NEVER be changed with self-serving intent. Any inappropriate changes are to be reported to the Chief Medical Administrator of the New Mexico Corrections Department. When changes to correct inaccuracies are absolutely necessary, standard operating procedures will be followed.
1. A single, thin line will be drawn through each line of the inaccurate material, insuring that it is still legible.
 2. The document must be dated, timed, and signed.
 3. A note will be added in the margin, indicating why the previous entry was replaced.
 4. The entry the correction is replacing will be indicated.
 5. In questionable situations, a colleague shall witness the corrected notation.
- P. Time gaps will be avoided as they can cause serious problems.
- Q. A signature or entry will NEVER be made for someone else.

- R. The document shall be countersigned carefully.
- S. Extraneous remarks will be avoided. Such remarks can be construed as signs of inattention to duty, unprofessionalism or frivolity.
- T. Abbreviations shall be kept to a minimum. Only nationally recognized abbreviations will be used.
- U. All allergies will be recorded, whether previously recorded or not.



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

06/05/14

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 <p>CD-170802</p>	<h1>NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always." Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	ISSUE DATE: 01/06/04	REVIEW/REVISED: 06/05/14
	EFFECTIVE DATE: 01/06/04	
TITLE: Medical Records Format		

AUTHORITY:

Policy *CD-170800*

PROCEDURES:

A. The medical record is an eight-part press board folder. Filing in the folder is done in reverse chronological order with the most current on top.

B. The following section designations and contents are used when filing:

1. Section I:

Basic Health Appraisal Data and related forms containing: findings, diagnosis, treatment and disposition recommendations with signature and title of provider.

- a. Problem List: On top of this section, in order to act as a quick reference.
- b. Flow Sheets Treatment and/or Nursing Care Plans: Tracking forms for certain diagnosis and/or problems.
- c. Special Monitoring: At any time during treatment, a special monitoring form may be placed over the Problem List. Upon completion of the monitoring, the form is filed by the last date seen in the 3rd section.
- d. History, Physical and Receiving Screen: Kept in specific reverse chronological order. There may be many receiving screens between history and physicals.
- e. Chronos-The most current medical/dental Chronos appears on top of the problem list.
- f. HCV Protocol forms.

2. Section II:

- a. Physician's Orders contains orders by providers, with corresponding encounter entries.
- b. Encounters-containing findings, diagnosis, treatments and dispositions with signature and title of provider and place, date and time of encounter.
 - 1) Daily encounters by non-physician providers, nurses and on-site physicians in reverse chronological order with the newest on top. Transfers shall be placed in the appropriate place by date.
 - 2) Progress notes on patients in observation will be kept in this section.

3. Section III: Diagnostic Testing

All reports of on-site and off-site laboratory, x-ray, CT scanning, EKG's, etc., are filed here in reverse chronological order.

4. Section IV: Special Consultants

- a. Psychiatry notes, RDC Mental Health Assessments, medication consents, and Psychiatry flow sheets.
- b. On-site specialties may include dental encounters and optometry encounters.
- c. Off-site consultations include off-site referrals, appointments, and information received from the consultation.
- d. In-patient reports from consultants, both on-site and off-site, in reverse chronological order with the newest on top.
- e. A colored sheet of paper will be placed on top and bottom of Infirmary stay records. Top sheet will indicate admission and discharge date.
- f. Hospital admission, discharge and surgical summaries.
- g. Special monitoring sheets (after completion).

5. Section V: Medication Administration Record, including dates and times of administration.

Monthly profiles and insulin records filed in reverse chronological order. Non-preferred requests.

6. Section VI: Miscellaneous

Copies of requests to be seen, appointment slips, copies of medical records, copies of passes, correspondence, consent and refusal forms, release of information forms, discharge summary, receipts for glasses and other items.

7. Dental X-rays.

8. Dental Progress Notes.



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NEW MEXICO CORRECTIONS DEPARTMENT
MEDICAL CHRONO

NMCD# _____ NAME: _____ CURRENT LOCATION _____

MEDICAL COVERAGE

Check all appropriate sites:

24 HOUR FACILITY

- PNM-V & VI CNMCF-II CNMCF-III-IV SNMCF-III-IV WNMCF-II-III-IV
- LCCF-III GCCF-III NENMDF-III Other _____
- NMWCF-I-II-III-IV-V-VI

5 DAY + ADJACENT FACILITY

- PNM-II CNMCF-I SNMCF-II

5 DAY - NURSING ONLY

- RCC-II SCC-I-II

- Hold at current location for estimated duration
- 30 days 60 days
- 90 days Other _____

Physician Signature

Date

MEDICAL RESTRICTIONS (Check all that apply)

No medical Restrictions

- Dust/Pollen/Animals Lifting > _____ lbs. Sitting 1 hr. Periods Power Equipment
- Sunlight Stooping Standing Long Periods Bending
- Other _____

FOOD SERVICE

- Cleared Not Cleared

Medical Idle **RESTRICT FROM ALL WORK PROGRAMMING** Estimated Duration: _____

Medical Provider Signature: _____ Date: _____

Distribution: White - Classification

Canary - Medical Record

CHRONO EFFECTIVE UNTIL UPDATED

Revised 03/25/09

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	ISSUE DATE: 01/06/04	REVIEW/REVISED: 06/05/14
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TITLE: Terminal Digit Filing System		

AUTHORITY:
Policy *CD-170800*

PROCEDURES:

A. Filing:

1. Read the NMCD number on the medical record. Determine the terminal digit by locating the last two numbers on the end tab.

12-----Tertiary Digit;
 03-----Middle Digit;
 45-----Terminal Digit.

2. Locate the matching section in the Master Medical Record File. The medical record will be filed in that section. Sample: "3-45" will be filed in the "45" section after any "2-45" and before any "4-45's." If there are already records with the same middle digit in the file area, file the medical record in numerical order in the middle digit areas by the tertiary digits. Sample: "12-3-45" will be filed after "11-3-45" and before "13-3-45."

B. Retrieval:

To retrieve a medical record from the file, locate the appropriate area of the file by following the above procedure in A, 1-2.



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	ISSUE DATE: 01/06/04	REVIEW/REVISED: 06/05/14
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TITLE: Release of Medical Information to Other Medical Entities		

AUTHORITY:

Policy *CD-170800*

PROCEDURES:

A. Upon Receipt of Request

1. The request will be stamped with the date received.
2. Determine if the patient is at any of the correctional facilities. If not, the CMIS system will be reviewed for the patient's location. If the patient is at another facility, the request will be sent to the Health Services Department at that facility. If the patient is discharged, paroled, escaped, expired, etc., the request will be sent to Medical Records at the Central New Mexico Correctional Facility. The disposition of the request will be logged in the Medical Information Request Log.
3. If the inmate is at the facility, the request must be accompanied by a complete release of information form that will satisfy release requirements. If not, the request and the release will be returned to the requestor with a copy of the Consent to Release of Medical Records Form and Record Release Guidelines.
4. If the patient cannot be identified from the information enclosed, the request will be returned to the sender indicating that further information is needed. Return of the request will be documented.
5. If the records cannot be located, the request will be returned with a cover letter.
6. No fees will be assessed for copies requested by medical entities for continuity of care.

B. Review and Copying of Medical Record:

1. The master medical record folder will be reviewed and the contents appropriate to the request will be identified (Records Release Guidelines). Requests from medical entities are for continuity of patient care and the release of information should be restricted to:
 - Problem list;
 - Most recent history and physical;
 - Consultation reports; psychiatrist notes will be excluded;
 - Pertinent lab and x-ray reports; and
 - Flow charts.

Any medical records from other medical providers should not be provided. **THE ORIGINAL WILL NEVER BE SENT.**

2. A cover letter will be completed with a copy of the request attached. Each page will be stamped with the confidentiality stamp. The records will be logged out to the requestor and mailed certified mail for tracking purposes. The consent and/or request form will be filed in the medical record.

C. Logging Requests:

1. Upon receipt of the request, it will be recorded by entering it into the Request Log. The date received patient's name, number and the requesting entity's name and address will also be recorded.
2. Upon forwarding or return of the request, the inclusion of where the request was sent, the date sent, and why it was sent will be recorded in the log.
3. Upon completion of copying, the date sent and what was sent will be recorded (Medical Information Request Log).



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	EFFECTIVE DATE: 01/06/04	
TITLE: Release of Medical Information to Attorneys		

AUTHORITY:
Policy *CD-170800*

PROCEDURES:

A. Receipt of Request:

1. The date received will be stamped on the request. The request will be logged in the Medical Information Request Log.
2. The CMIS system will be used to determine the patient's location. If the patient is at another facility, the request will be sent to the Health Services Department at that facility. If the patient is discharged, paroled, escaped, expired, etc., the request will be sent to Medical Records at the Central New Mexico Correctional Facility. The disposition of the request will be logged.
3. The request should be accompanied by a complete release of information form that will satisfy the release requirements. If not, the request and the release will be returned to the requestor with a copy of the Consent to Release of Medical Records. General requests for records should not be followed blindly. (Record Release Guidelines)
4. If the patient cannot be identified from the information enclosed, the request will be returned indicating that further information is needed. The procedure will be logged.
5. If the records cannot be located, the Health Services attorneys and RHIT will be notified immediately. The request will be returned with a cover letter indicating the reason we are unable to release information. This procedure will be logged.
6. Requests from attorneys verified to be representatives of the NMCD Contracted Health Care Provider/Corrections Department liability insurance carrier, the Attorney General or as a Corrections Department Counsel do not need a signed release from the patient. They must, however, make their request in writing on their professional letterhead, must specify if they are representing the Corrections Department, and must specify what information they are seeking. There will be no photocopy charges.

7. If an inmate completes a release on-site, the inmate's attorney will be notified to determine if he or she really wants the records before proceeding. The disposition of the request will be logged. Fees will be paid prior to release of copies: \$5.00 preparation fee and \$.50 per copy.

Review and Copying of the Medical Record:

- a. The master medical record folder will be reviewed and identification of the contents appropriate to the request will be made. **THE ORIGINALS WILL NOT BE SENT.** If the record is voluminous, the attorney will be contacted to verify the documents needed before copying all the record.
- b. The appropriate pages in the record will be identified and copied.
- c. Each page will be stamped with the confidential stamp. A cover letter appropriate to the planned disposition of the copies will be completed. The disposition of the records will be logged. The original request will be logged, and copies of all letters will be placed in the 6th section of the medical record.



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	<p>ISSUE DATE: 01/06/04</p> <p>EFFECTIVE DATE: 01/06/04</p>	<p>REVIEW/REVISED: 06/05/14</p>
	<p>TITLE: Court Order Subpoenas for Medical Records</p>	

AUTHORITY:

Policy *CD-170800*

PROCEDURES:

A. Upon Receipt of Court Order or Subpoena:

1. Determine the location of the inmate.
2. If he or she is not currently at the facility, the attorneys will be notified that the court order or subpoena cannot be honored, due to no record of the inmate at the facility.
3. The Health Services/NMCD attorneys will be notified of the possible legal action.

B. Court Order:

1. Determine if the court order is signed by a judge. If not, it is likely that the order is not valid. If necessary, verify the document by contacting the appropriate judicial district.
2. The Health Services/NMCD attorneys will be notified by telephone immediately. The court order will be delivered immediately.
3. Log the court order in the Records Release Log.
4. A copy of the medical record will be prepared, and a cover letter certifying to the authenticity and completeness of the copy will be prepared.
5. The Health Services/NMCD attorneys will provide direction in terms of complying with Court orders.

C. Subpoena:

1. Determine if the subpoena is valid. A valid subpoena usually contains the following information:
 - a. Name of court or other official body in which the proceeding is being held;
 - b. Name of plaintiff and defendant;
 - c. Docket number of the case;
 - d. Date, time and place of requested appearance;
 - e. Specific documents sought;
 - f. Name and telephone number of the attorney who caused the subpoena to be issued;
and
 - g. Signature or stamp and seal of the office empowered to issue the subpoena.
2. Log the subpoena into the Records Release Log.
3. Notification will be made to the Health Services/NMCD attorneys.
 - a. The Health Services/NMCD attorneys will be contacted by telephone to notify them of receipt of the subpoena. If necessary, the contents of the subpoena shall be read over the telephone and tele-faxed.
 - b. If directed by the Health Services/NMCD attorneys to proceed, the medical record will be copied in its entirety or the specific records indicated will be copied and a signed cover letter certifying to the authenticity and completeness of the copies will be prepared.
 - c. The Health Services/NMCD attorneys will provide direction in terms of responding to the subpoena.
 - d. The Health Services/NMCD attorneys shall contact the issuing party and handle the situation from that point. This is especially true in records containing drug and alcohol abuse treatment records.

- e. The HSA will be notified of the outcome.
- f. The disposition of the subpoena will be logged.
- g. A note of the outcome will be made on a copy of the subpoena and it will be filed in section 6 of the medical record.



Gregg Marcantel, Secretary of Corrections
New Mexico Corrections Department

06/05/14
Date

 <p>CD-170807</p>	<p>NEW MEXICO CORRECTIONS DEPARTMENT</p> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i> Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	<p>ISSUE DATE: 01/06/04</p>	<p>REVIEW/REVISED: 06/05/14</p>
	<p>EFFECTIVE DATE: 01/06/04</p>	
<p>TITLE: Intra-Facility Requests for Release of Medical Information</p>		

AUTHORITY:
Policy *CD-170800*

PROCEDURES:

A. Medical Incident Reports:

1. An incident is any happening which is not consistent with the routine operation of the facility or the routine care of the inmate. These include accidents that befall inmates as well as inmates examined after altercations and inmates treated for overdose or illegal drug use. Any employee screened after an on-the-job injury or a visitor screened after an accident also qualify.
2. A Medical Incident Report must be completed for each episode of treatment. The contents of the report will be restricted to the following information regarding medical treatment:
 - a. Incident and Patient Identification: The date and time of presentation to Health Services or of the emergency call will be recorded. The name of the employee/visitor will be recorded. The name of the facility will also be recorded.
 - b. Cause of Encounter: Indicate why the patient is presented for care, i.e., fall, hit on the head, found unconscious. Identify the source of information.
 - c. Length of Disability: Use the following definitions to indicate the amount of time lost from the ability to hold a job or participate in daily activities determined by the Health Authority:
 - No loss of time - patient may return to the same job. No restriction on education or activities of daily living.
 - Minimal loss of time - patient may return to work but not at the same level of job as before due to temporary restriction secondary to injuries or physical state. (Record actual work limitations in the space provided.)

- Greater loss of time - Loss of six (6) days or more of work. Requires follow-up for determination of period loss. Requires that a **Medical Chrono Attachment (CD-170802.A)** be generated to the Classification Department indicating restrictions.
 - Unknown at this time - actual or expected length and type of restriction cannot be determined at this time.
 - Work or activity restriction - the specific restriction to work, education or activity level that will affect the patient's ability to participate in activities of daily living.
- d. Disposition of Case: The disposition of the case will be indicated by marking the appropriate box or filling in the blank.
- e. Name and Title of Person Caring for Patient: The name and title of the person who actually cared for the patient will be recorded.
3. Copies of the report will be distributed to the appropriate personnel as indicated by job title on the form.
4. The original or any copy of the form will NOT be filed in the medical record. The form will not be referred to under any circumstances. If necessary, a separate file will be kept in the Health Services Department.

B. Classification Request:

1. A Medical Chrono form will be prepared indicating the appropriate facilities that will provide the services according to the patient's needs. Any work or school restrictions will be identified for the patient and indicated on the form.
2. The original Chrono will be sent to the Classification Department with a copy being retained for the medical record.
3. Copies of the actual medical record will not be provided without an appropriate release from the patient (Consent to Release of Medical Records). Requests for records should not be followed blindly. Information requested for pre-parole plans shall be sent directly to the outside treatment program only on written release from the patient.

C. Disciplinary Requests:

Requests for information to support disciplinary action, other than that provided on the Medical Incident Report, must be in writing from the Warden and may not be honored without an appropriate release from the patient.



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 <p>CD-170808</p>	<h1>NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always." Courage Responsibility Ethics Dedication - CREDibly serving the public safety of New Mexico</p>	
	ISSUE DATE: 01/06/04	REVIEW/REVISED: 06/05/14
	EFFECTIVE DATE: 01/06/04	
TITLE: Completion of Medical Encounter Forms		

AUTHORITY:

Policy *CD-130700*

PROCEDURES:

A. A Medical Encounter Form is filled out every time an inmate or an employee is seen by medical staff.

B. The Medical Encounter Form will be completed as follows:

1. Enter the date, time, name (last, first, middle), number.
2. Enter facility initials at bottom.
3. If the patient is an employee, his or her name will be indicated on the form.
4. Fill in the patient's chief complaint, vital signs, allergies (specify or write "NKDA" (no known drug allergies). Mark the time of encounter:
 - a. Check "unscheduled";
 - b. Check sick call, physician appointment, etc. If an intake screening, write "intake" in this area; and
 - c. Initial the form in the box provided.
5. Subjective: Record the patient's complaints. Note what he tells you about his physical or mental condition, i.e., "My throat has been sore for two days and I feel sick," or patient states throat has been sore for two days and he feels like he has a temperature.
6. Objective: Record what is observed about the patient. Write specific findings on examination, i.e., throat is red, tonsils edematous and white irregular patches cover the area; nose clear, bilateral cervical lymph nodes enlarged; ears clear; B/P, 120/70, TPR 100.6, 100,20.

7. Assessment:
 - a. Diagnosis: Made by physician or physician's assistant only.
 - b. Evaluation: Nursing statements are recorded as specifically observed symptoms, or as probable, or as a statement of a previously stated diagnosis.
8. Plan: Record any medications, treatments, follow-up, special instructions that relate to the care provided the patient.
 - a. Medication order must contain the following:
 - Medication by name;
 - Dosage;
 - Route of administration;
 - Times of administration; and
 - Stop date or specific number of days, and any verbal orders must be written as such.
 - b. The nurse will not write a medication order without a verbal order from a licensed practitioner or from the Treatment Protocols. Orders from the Treatment Protocols must be identified as such when written.
9. Education: Professional instruction regarding what patient was trained in and what he or she should know and do.
10. Taking off Orders:
 - a. Orders should be taken off as soon as possible after the written encounter is completed.
 - b. Each individual order is checked before it is taken off.
 - c. The acknowledgement of the receipt of the order will be recorded by drawing a line down the left side and across the bottom. The first initial, last name and title of the person taking off the order will be recorded to the left of the orders. The date and time of the signature will be recorded to indicate when the orders were taken off.

C. Disposition of Copies:

1. The white copy (original) will be filed in the medical record.
2. Medication Order- to on-site Pharmacy for faxing to contract pharmacy.
3. Encounters done on employees are kept in file in the DON'S office for one year, and then disposed.



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