

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
639**

MEDICAL RECORDS

Supersedes: AR 639 (01/05/12); and AR 639 (Temporary, 05/06/14)
Effective date: 09/16/14

AUTHORITY: NRS 49.265; 209.131; 458.055; 629.051; 629.061

RESPONSIBILITY

Medical Division staff has the responsibility to have knowledge of and comply with this regulation.

639.01 MEDICAL RECORDS

1. The Nevada Department of Corrections (NDOC) maintains medical, dental, and mental health records for each inmate throughout the period of incarceration.
2. Medical records are initiated during the intake process.
3. The record should be standardized and uniform throughout the Department.
4. All original medical, dental, mental health care and substance abuse treatment data should be maintained in the medical record.
5. The record should include documentation of all health related service provided to the inmate, both on-site and offsite
6. Copies of the medical record may be kept in the outpatient mental-health services to facilitate mental health care.
7. Practitioners responsible for conservation camps and transition centers will document medical information on any treatment received by inmates under their care. Physicians, Physician Assistants, or Advanced Practitioners of Nursing are considered to be practitioners.
8. All medical records initiated by a practitioner operating within an institution must comply with this regulation.

639.02 CONFIDENTIALITY OF MEDICAL RECORDS

1. Medical records will be maintained in secure files and will only be handled by authorized medical division staff and the following persons:

- A. Director
- B. Deputy Directors
- C. Wardens
- D. Associate Wardens
- E. Attorney General staff
- F. Other staff as authorized by the Director or Medical Director.

2. Inmates are not allowed access to another inmate's medical file.

3. Medical information, such as progress notes, laboratory and radiology results, and other pertinent information, should be made available to authorized staff and practitioners in the Department.

4. Medical information should be released to outside healthcare providers only with written authorization (Form DOC 2548 Consent – Release of Medical Information) from the inmate, except for pertinent copies of the inmate medical records sent for approved outside consultations at the request of institutional physicians, or as required by law.

A. Original medical records should not leave the possession of department staff at any time. If consulting physicians need to maintain a medical record, copies should be made and the original record will be retained at the institution.

5. Where required by law, appropriate public health agencies will be notified of reportable diseases.

6. Inmate's attorneys may obtain a copy of the medical records with the written request and authorization by the inmate.

7. Inmates are not constitutionally entitled to free copy work. Inmates may request limited copies of medical records for legal purposes by submitting a brass slip for the cost of the copies requested.

A. In order to receive the requested copies, inmates must have sufficient funds in their individual account in the Prisoners Personal Property Fund (PPF) to cover the cost of the requested copies.

B. Copies should be charged to the requesting attorney or inmate at the rate set by NRS 629.061.

8. Copies of medical records will not be provided to the inmate and should be maintained in a separate file in the inmate's medical records for attachment to pleadings when directed by the staff of the Attorney General.

9. Original medical records should not be sent to outside agencies unless ordered by the court.

A. In the event original records are ordered in cases of litigation, they should be hand delivered by authorized Department staff.

10. All other requests for medical records will be transferred to the Health Information Archives Coordinator.

639.03 INMATE REVIEW OF MEDICAL RECORDS

1. Inmates may request to review their medical record under the direct supervision of medical staff members

2. Prior to the review, all medical and mental-health records will be screened for confidentiality and any items that upon review by the inmate could impact the inmate's mental well being.

A. All confidential materials and those that may negatively impact the inmate's mental well being will be removed from the medical record prior to review by the inmate.

3. Except under special circumstances, as determined by the Medical Director, attending practitioner or by court order, an inmate should only be permitted to review their medical records once per calendar year.

4. Any inmate request for review that is denied by the Medical Director or attending practitioner should be documented in the medical record, stating the reason for the denial.

639.04 TRANSFER OF INMATE MEDICAL RECORDS

1. When an inmate is transferred between institutions or facilities, the complete medical, mental health, and dental records should be transferred with the inmate.

A. If the medical record cannot be found, a temporary record should be used until the original is found.

2. All medical information accumulated and not filed should be filed appropriately in the medical record before it is transferred.

3. Medical record should be reviewed at the receiving institution by the nursing staff for the pertinent information, noting in the progress notes that this review was accomplished.

A. Appointments and referrals will be made as indicated. The relevant documentation will then be given to the Health Information Coordinator for quality control functions.

4. When an inmate is transferred out for treatment for an indefinite period of time, the institutional medical records office should contact the Health Information Archives Coordinator to obtain pertinent medical records.

5. A copy of the medical record should be sent to the receiving institution, the original medical record should remain in the medical records archives.

6. When an inmate is released from the Department, his medical records should be forwarded to the medical records archives to be maintained according to applicable state, federal, and local laws, rules and regulations.

APPLICABILITY

1. This regulation requires a Medical Directive for the management, format, access, and confidentiality of the health care record.

2. This regulation requires an audit.

Shirley Ann...
Medical Director

10/6/14
Date

[Signature]
Director

10/7/14
Date