

CORRECTIONAL MANAGED HEALTH CARE POLICY MANUAL	Effective Date: 05/20/2016	NUMBER: A-08.1 Page 1 of 3
	Replaces: 9/22/2014	
	Formulated: 10/85	
	Reviewed: 04/16	
DECISION MAKING - MENTAL HEALTH PATIENTS		

PURPOSE:

To assure that a Qualified Mental Health Professional (QMHP) is involved in decisions relative to housing, program assignments, disciplinary measures and transfers of offenders with a mental illness.

POLICY:

Decisions relative to housing and program assignments, disciplinary measures and transfers of offenders with a mental illness are in accordance with TDCJ Classification.

Special considerations are required for offenders with a mental illness charged with or suspected of disciplinary infractions. Mental health input is obtained prior to disciplinary procedures being taken against offenders receiving mental health services.

PROCEDURES:

- I. The "Health Summary for Classification" screen (HSM-18) is updated by Mental Health Services or medical staff and reviewed by the Classification Committee for all offenders prior to housing and program assignments.
- II. Prior to disciplinary measures being taken against offenders with a mental illness, the provisions of TDCJ Administrative Directive 06.56 "Procedures for Handling Offenders Identified as Suicide Risks" must be followed.
- III. Mental Health Services staff is expressly prohibited from performing any type of forensic evaluation that involves determining sanity at the time of the alleged offense or competency to understand legal procedures. Mental Health Staff input is, however, required as part of the disciplinary process for each offender with a mental illness.
- IV. The need for Mental Health input into the disciplinary process for each offender with a mental illness will be assessed by a Qualified Mental Health Professional (QMHP). Documentation of the need for Mental Health input will be made on the patient's Health Summary for Classification form (HSM-18).
- V. Disciplinary cases for any patient identified as requiring Mental Health input on their HSM-18 will be forwarded to Mental Health staff prior to any disciplinary action being taken. The Mental Health Disciplinary Review Form (Attachment A) shall be

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completed by a QMHP

If the QMHP indicates on the Mental Health Disciplinary Review Form that there is no input from mental health services relevant to the processing of the disciplinary case, the case may be processed in accordance with the TDCJ Disciplinary Rules and Procedures for Offenders.

However, if the QMHP determines that the mental health services department has relevant input to provide, the mental health services department must be consulted for specific input before proceeding with the disciplinary process. The security disciplinary review team members are encouraged to discuss with a mental health representative any concerns or questions they may have about an individual offender's case as warranted.

- VI. Any determinations or recommendations by the QMHP are not to be construed as "clearing" the case of concerns related to sanity or competency, as that type of evaluation is expressly prohibited (see Correctional Managed Health Care Policy I-68.3).
- VII. An entry will be made in the electronic health record (EHR) reflecting the QMHP's input into the disciplinary process. The disciplinary case will be returned to the Disciplinary Hearing Officer (or designee) along with the attached Mental Health Disciplinary Review Form (Attachment A).
- VIII. The Mental Health Services Disciplinary Review Form (Attachment A) will be used for the processing of all disciplinary cases involving designated mental health patients.

Reference: AD 06.56, Procedures For Handling Offenders Identified As Suicide Risks
ACA Standard 4-4399 (Ref. 3-4369)
CMHC Policy I-68.3