

KERN COUNTY SHERIFF'S OFFICE

Detentions Bureau Policies and Procedures

TITLE: REFUSAL OF MEDICAL, DENTAL, AND MENTAL HEALTH CARE H-200

EFFECTIVE:	REVIEWED:	REVISED:	UPDATED:
June 30, 1990	07-11-24	02-08-11	07-11-24

APPROVED BY: Detentions Bureau Chief Deputy Cindy Cisneros

REFERENCE: Title 15, Section 1205, 1214, C.C.R.

POLICY

Any adult incarcerated person may refuse emergency and/or non-emergency medical, mental health, or dental care. Detentions Bureau medical staff will process and document any incarcerated person's refusal of medical or dental care in accordance with Kern Medical Center Correctional Medicine Department Policy and Procedure. Refusals of mental health care will be processed and documented by mental health staff in accordance with Correctional Mental Health Policy and Procedure. Refusals will be in writing, signed by the incarcerated person, and will be maintained as part of the incarcerated person's medical and/or mental health record.

DEFINITION(S):

For the purpose of this policy, the following definition applies:

- **Medical, dental, and/or mental health care:** Any medical/dental/mental health appointments, doctor and/or nurse's sick call, medication pass, or other medical examination or treatment. This includes situations where the incarcerated person initially requests these services and also requests by staff for medical examination of an incarcerated person.

Procedure A: Documenting an Incarcerated person's Refusal

Any staff that becomes aware that an incarcerated person intends to refuse medical, dental, and/or mental health care will:

- Ensure that the incarcerated person is seen by the appropriate medical, dental, or mental health staff member for consultation, and if needed, documentation of the refusal;

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Note: If an incarcerated person refuses any medical, dental, or mental health appointment outside of the facility, the incarcerated person may, at the discretion of Medical staff, be required to go to the appointment and refuse the examination/treatment at the appointment site.

- If requested by medical, dental, or mental health care staff, witness the refusal and complete the witness section of the refusal form.
 - A JMS incident or MOBILE/LERMS report will be written documenting the refusal incident if the circumstances surrounding the refusal are unusual or as directed by the shift supervisor or facility manager. If in doubt, staff will contact the shift supervisor for direction.

DIRECTIVE A-1

At no time will physical force be used to make an incarcerated person go to a medical appointment. If the incarcerated person refuses to go to the appointment site to make the refusal, security staff will advise medical staff of the incarcerated person's refusal.

DIRECTIVE A-2

Officers scheduled to transport an incarcerated person offsite for a medical appointment will verify the incarcerated person's refusal with medical staff prior to leaving the facility.