

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 500.30.22	<b>Page</b> 1 of 3
	<b>Original Effective Date:</b> 05/15/04	<b>New Effective Date:</b> 08/24/23
	<b>Supersedes:</b> 500.30.22	<b>Dated:</b> 09/01/16
	<b>Administrator's Approval:</b> Sarah Cooper, Administrator – 07/28/23	
<b>Required Posting or Restricted:</b>		
<input checked="" type="checkbox"/> <b>PIOC</b> <input checked="" type="checkbox"/> <b>All Staff</b> <input type="checkbox"/> <b>Restricted</b>		
<b>Chapter:</b> 500 Health Services		
<b>Subject:</b> Forensic Information		

## POLICY

The Division of Adult Institution health staff shall protect the integrity of the therapeutic partnership with their patients.

## REFERENCES

Standards for Health Care in Prisons, National Commission on Correctional Health Care, 2018 P-G-04–Therapeutic Relationship, Forensic Information, and Disciplinary Actions

Wisconsin Statutes s. 165.76 – Submission of human biological specimen (requires DNA for felony conviction after 1/1/2000, taken by Social Worker; HSU does not take this specimen)

Wisconsin Statutes s. 165.765 – Biological specimen; force and immunity (penalty for non-compliance)

Wisconsin Statutes s. 165.77 – Deoxyribonucleic acid analysis and data bank

Wisconsin Statutes s. 252.15 – Restrictions on use of an HIV test

Wisconsin Statutes s. 302.85 – Medical Care of Prisoners

Wisconsin Administrative Code s. DOC 306.07 – Use of Force

Wisconsin Administrative Code s. DOC 306.17(3) – Search of Inmates, Body Cavity Search

DAI Policy 300.00.38 – DNA Collection Procedures

DAI Policy 500.30.19 – Sexual Abuse – Health Services Unit Procedure in the Event of Sexual Abuse

## DEFINITIONS, ACRONYMS, AND FORMS

Body Cavity Search – A strip search in which body cavities are inspected by the entry of an object or finger into body cavities.

Court Order – A document signed by a judge directing either an PIOC to provide a specimen or a health care provider to obtain a specimen.

DNA – Deoxyribonucleic acid

DOC – Department of Corrections

Forensic Information – Physical or psychological data collected from a PIOC that may be used against the PIOC in disciplinary or legal proceedings.

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HSM – Health Services Manager

HSU – Health Services Unit

PIOC – Persons in Our Care

## **PROCEDURES**

### **I. General Guidelines**

- A. Health Service Unit staff shall meet the health needs of patients without bias or judgment on the merit of providing care to PIOC.
- B. Health care staff shall not participate in PIOC disciplinary hearings nor are compelled to provide clinical information solely for the purposes of PIOC discipline.
- C. Treatments and medications shall never be withheld as a form of punishment.
- D. HSM/designee shall notify the Warden/designee when the patient does not consent to Court Order. Office of Legal Counsel shall be consulted and an action plan shall be determined.
- E. Forensic examinations for allegations of sexual assault shall be conducted at a local emergency room or clinic by health care providers trained in the collection of such evidence per DAI Policy 500.30.19.
- F. Health care staff shall not be involved in DNA collection and/or testing for forensic purposes.
- G. Body cavity searches shall not be conducted or coordinated by health care staff.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
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<b>Chapter:</b> 500 Health Services		
<b>Subject:</b> Forensic Information		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES**

**DEFINITIONS, ACRONYMS AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
  - B.
    - 1.
    - 2.
      - a.
      - b.
      - c.
    - 3.
  - C.

II.

III.

**RESPONSIBILITY**

I. Staff

II. PIOC

III. Other