

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 500.70.05	Page 1 of 5
	Original Effective Date: 03/28/11	New Effective Date: 04/01/24
	Supersedes: 500.70.05	Dated: 06/06/16
	Administrator's Approval: Sarah Cooper, Administrator – 3/6/24	
Required Posting or Restricted:		
<input checked="" type="checkbox"/> PIOC <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted		
Chapter: 500 Health Services		
Subject: Mental Health Treatment – Crisis Services		

POLICY

The Division of Adult Institutions shall ensure an array of crisis services to manage and treat the mental health emergencies that occur among PIOC.

REFERENCES

Wisconsin Statutes s. 51.15 – Emergency Detention by Law Enforcement
Wisconsin Statutes s. 51.20 – Involuntary Commitment for Treatment
Wisconsin Statutes s. 51.37 – Criminal Commitments; Mental Health Institutes
Wisconsin Administrative Code Ch. DOC 314 – Mental Health Treatment for Inmates
Wisconsin Administrative Code Ch. DOC 311 – Observation Status
Wisconsin Administrative Code Ch. DOC 306 – Security
Wis. Stat. s. 302.38 – Medical Care of Prisoners
Wis. Stat. s. 302.385 – Correctional Institution Health Care
Wis. Stat. s. 302.386 – Medical and Dental Services for Prisoners and Forensic Patients
Health Services Policy and Procedures 300:20J – Involuntary Administration of Psychotropic Medications – Youths
DAI Policy 300.00.57 – Hunger Strike – PIOC Refusal to Eat or Drink
DAI Policy 500.70.09 – State Treatment Facility Transfers
DAI Policy 500.70.10 – Mechanical Restraints
DAI Policy 500.70.24 – Clinical Observation
DAI Policy 500.30.20 – Involuntary Administration of Psychotropic Medications

DEFINITIONS, ACRONYMS, AND FORMS

DAI – Division of Adult Institutions

DOC – Department of Corrections

Emergency Detention – The act of a law enforcement officer taking an individual into custody for mental health reasons as outlined in Wisconsin Statutes s. 51.15.

HCR – Health Care Record

HSU – Health Services Unit

HSU Staff – Employees classified as HSU Manager, Psychiatrist, Psychiatric Advanced Practice Nurse Practitioner, Physician, Physician Assistant, Pharmacist, Dentist, Nurse Practitioner, Optometrist, Registered Nurse, Licensed Practical Nurse, Physical

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Therapist, Radiologic Technician, or any other clinical classification that is directly supervised by Health Services.

OLC – Office of Legal Counsel

PIOC – Persons in Our Care

State Treatment Facility – Winnebago Mental Health Institute or Mendota Mental Health Institute

PROCEDURE

I. Emergency Detentions

- A. An individual may be placed on an emergency detention by outside law enforcement. This may be utilized for PIOC who fulfill Wisconsin Statutes s. 51.15 criteria at or near the time of their release to the community.
- B. PIOC may be placed on an emergency detention by a Warden, Superintendent, or designee under Wisconsin Statutes s. 51.37. The PIOC is then transferred to a state treatment facility.

II. Mechanical Restraints to Immobilize PIOC

- A. Mechanical restraints are used to confine PIOC at risk of immediate physical injury to self or others and to protect property.
- B. The use of mechanical restraints is governed by Wisconsin Administrative Code ch. DOC 306.11 and DAI Policy 500.70.10.

III. Involuntary Administration of Psychotropic Medication

- A. Wisconsin Statutes Ch. 51, DAI Policy 500.30.20, and Wisconsin Administrative Code Ch. DOC 314 govern the involuntary administration of psychotropic medication to an inmate.
- B. DOC staff may involuntarily administer psychotropic medication to PIOC if a court has involuntarily committed the PIOC under Wisconsin Statutes s. 51.20, authorized the PIOC to be treated in prison, determined that the PIOC is not competent to refuse medication, and ordered the administration of psychotropic medication with or without the PIOC consent.
- C. If the court order does not reflect the above parameters, it needs to be reviewed by OLC to determine whether DOC staff may administer psychotropic medication without the PIOC consent.
- D. When administering psychotropic medication without the PIOC consent, staff shall follow the procedures in Wisconsin Administrative Code ch. DOC 314.05.

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IV. Medical Treatment Refusals

- A. When a PIOC refuses medical treatment that is necessary to preserve life or prevent significant deterioration of health, HSU staff may request that a Psychologist-Licensed evaluate the PIOC competency to refuse medical treatment. The Psychologist-Licensed or the HSU Manager may request a DOC Psychiatrist also evaluate the PIOC.
- B. The evaluation shall include the following elements:
 - 1. The PIOC understanding and appreciation of the need for the medical treatment, the risks and potential benefits of the proposed treatment, and the consequences of refusing the treatment.
 - 2. The PIOC ability to weigh various options, come to a decision about treatment in a rational manner, and communicate a choice about treatment.
- C. The Psychologist-Licensed or Psychiatrist shall document the evaluation in the HCR and notify HSU.
- D. If one or more evaluations conclude that the PIOC is not competent to refuse medically necessary treatment, HSU staff shall consult with OLC regarding the legal process to administer necessary treatment and to appoint a guardian, if applicable.

V. Hunger Strikes

DAI Policy 300.00.57 governs the management of hunger strikes.

VI. Civil Commitments

Both male and female PIOC who are in need of involuntary commitment under Wisconsin Statutes s. 51.20 are generally referred to the Wisconsin Resource Center.

VII. Clinical Observation (Mental Health Placement)

Wisconsin Administrative Code Ch. DOC 311 and DAI Policy 500.70.24 govern clinical observation placements.

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Name		
Original Effective Date:	DAI Policy Number: 500.70.05	Page 4 of 5
New Effective Date: 00/00/00	Supersedes Number:	Dated:
Chapter: 500 Health Services		
Subject: Mental Health Treatment – Crisis Services		
Will Implement <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval:		

REFERENCES

DEFINITIONS, ACRONYMS, AND FORMS

FACILITY PROCEDURE

I.

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

II.

III.

RESPONSIBILITY

I. Staff

II. Inmate

III. Other

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

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