



WISCONSIN DEPARTMENT OF CORRECTIONS

Governor Tony Evers / Secretary Kevin A. Carr

GUIDANCE DOCUMENT CERTIFICATION

I have reviewed this guidance document or proposed guidance document and I certify that it complies with sections §227.10 and §227.11 of the Wisconsin Statutes.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or a rule that has been lawfully promulgated.

I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

Cathy A. Jess

Name of Individual Certifying this Document / Proposed Document

Warden Oshkosh Correctional Correctional


Title

Cathy A. Jess

Signature

2-28-2020

Date Signed

 <p style="text-align: center;">DIVISION OF ADULT INSTITUTIONS</p> <p style="text-align: center;">POLICY AND PROCEDURES</p>	DAI Policy #: 500.10.23	Page 1 of 4
	Original Effective Date: 05/15/03	New Effective Date: 10/01/18
	Supersedes: 500.10.23	Dated: 10/06/14
	Administrator's Approval: Jim Schwochert, Administrator	
	Required Posting or Restricted: <input checked="" type="checkbox"/> Inmate <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted	
Chapter: 500 Health Services		
Subject: Grievance Process for Health Care Complaints		

POLICY

The Division of Adult Institutions facilities shall ensure inmate patients have a right to disagree with or questions the DOC health Care System/Services.

REFERENCES

Standards for Health Care in Prisons, National Commission on Correctional Health Care, 2018, P-A-10 – Grievance Process for Health Care Complaints
Wisconsin Administrative Code Ch. DOC 310 – Complaint Procedures

DEFINITIONS, ACRONYMS AND FORMS

BHS – Bureau of Health Services

Corrections Complaint Examiner (CCE) – Employee assigned to review complaints appealed to the Secretary and to conduct further investigation as needed.

DOC – Department of Corrections

DOC-400 – Offender Complaint

HSM – Health Service Manager

Institution Complaint Examiner (ICE) – Employee assigned by the Warden/Superintendent at each facility to investigate inmate complaints.

Inmate Complaint Review System (ICRS) – Process under Wisconsin Administrative Code Ch. DOC 310 by which complaints filed by inmates are investigated and resolved.

Responsible Health Authority (RHA) – The individual delegated with the responsibility for the facility's health care services and arranges all levels of health care and assure quality, assessable and timely health services for inmates. The RHA may be a physician, health service manager, nursing coordinator or agency.

Reviewing Authority (RA) – The health authority who makes the final decision for health complaints. This is an assigned Nursing Coordinator.

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PROCEDURE

- I. **Resolution of Inmate Patient Complaints and Concerns by Health Staff (Prior to Filing of a Complaint Under ICRS)**
 - A. Patients have the right to disagree or question or complain, health care system/services including their medical, dental and mental health care. While a formal process exists for complaints/questions, the patient's complaints may be verbal or in writing.
 - B. Attempts should be made to informally resolve an inmate patient's health care complaints or concerns.
- II. **Patients' concerns, questions and complaints are an important component of continuous quality improvements and shall be tracked through the facility CQI Program.**
 - A. An inmate patient may contact health staff in an attempt to informally resolve concerns, questions or complaints.
 - B. Responses to patient grievances, questions or complaints shall be professional and demonstrate an interest for safe patient care.
 - C. A formal grievance process exists for unresolved complaints.
- III. **A face to face interview by health staff, specifically the HSM, a care provider or charge nurse is an effective way to resolve issues and concerns and is encouraged.**
 - A. Health staff shall document interventions and responses to questions and complaints in the health care record.
 - B. Health staff shall respect the confidential nature of patient complaints or concerns by not discussing the complaint or concern with other staff or inmate patients, except those who have a job related need to know.
 - C. Where issues, concerns or complaints are long standing, unresolved or on-going, health care staff shall periodically meet with patients as a check in on healthcare service.
- IV. **Investigation of ICRS Complaint**
 - A. When a patient files a formal complaint by submitting DOC-400, designated health staff shall collaborate with the ICE in the first step of the investigation of the complaint. If someone other than a member of the health care staff responds to patient complaints, health staff shall be consulted.
 - B. During the ICRS process, designated health staff shall respond to requests for information from the appropriate RA and CCE or the Office of the Secretary.

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C. Designated medical, dental and mental health staff shall attempt to resolve patient complaints and concerns by reviewing and evaluating the complaints and concerns in a timely manner based upon principles of adequate health care delivery.

V. Actions Following an Affirmed Complaint

A. HSMs shall review complaints, and identify and resolve systematic problems in health care delivery in coordination with the assigned Nursing Coordinator.

B. HSMs shall track patterns and themes related to inmate patient complaints and make recommendations for changes in practice at the facility and system level.

C. RAs shall inform the Medical/Nursing Director of complaints that may require a change in health practices or policies/procedures.

D. The BHS Director, Medical Director, Director of Nursing, Mental Health Director, Pharmacy or Dental Director shall:

1. Determine when health care practices or policies and procedures should be developed, revised or rescinded at the systems level.
2. Notify BHS committees/staff responsible for revising protocols, treatment guidelines, policies/procedures and forms when changes result from a complaint.
3. Notify health staff of changes in health practices, policies and procedures resulting from affirmed complaints.

Bureau of Health Services: _____ **Date Signed:** _____
James Greer, Director

_____ **Date Signed:** _____
Paul Bekx, MD, Medical Director

_____ **Date Signed:** _____
Mary Muse, Nursing Director

Administrator's Approval: _____ **Date Signed:** _____
Jim Schwochert, Administrator

DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES

Facility: Oshkosh Correctional Institution		
Original Effective Date: 5/15/03	DAI Policy Number: 500.10.23	Page 4 of 4
New Effective Date: 3/09/2020	Supersedes Number: 500.10.23	Dated: 10/6/14
Chapter: 500 Health Services		
Subject: Grievance Process for Health Care Complaints		
Will Implement <input type="checkbox"/> As written <input checked="" type="checkbox"/> With below procedures for facility implementation		
Warden's/Center Superintendent's Approval: Cathy A. Jess, Warden		

REFERENCES**DEFINITIONS, ACRONYMS, AND FORMS****FACILITY PROCEDURE**

- I. **Resolution of Co-Pay Complaints**
 - A. Charges may be disputed after the appointment by contacting the Health Services managers in writing.
 - B. After receiving response from Health Services managers, a complaint may be filed through the Inmate Complaint Review System.