
 <p>State of Connecticut Department of Correction</p> <p>ADMINISTRATIVE DIRECTIVE</p>	Directive Number 8.9	Effective Date 7/24/12	Page 1 of 5
	Supersedes Health Services Review, dated 6/30/2009		
Approved  Commissioner Leo C. Arnone	Title Administrative Remedy for Health Services		

1. Policy. The Department of Correction shall establish a Health Services Review procedure as the administrative remedy for all health services to enable an inmate to seek formal review of any health care provision, practice, diagnosis or treatment. Review of health care services enables the Department to identify individual and systemic problems, to resolve health care issues in a timely manner and to facilitate the accomplishment of its mission.
2. Authority and Reference.
 - A. Connecticut General Statutes, Section 18-81.
 - B. Administrative Directives, 4.7, Records Retention; 8.1, Scope of Health Services, and 9.6 Inmate Administrative Remedies.
3. Definitions and Acronyms. For the purposes stated herein, the following definitions apply:
 - A. ADA: Americans with Disabilities Act.
 - B. Compromised: The application for Administrative Remedy has sufficient merit that some modification of the existing decision is warranted.
 - C. Denied. The application for Administrative Remedy is without merit.
 - D. Health Services Appeal. A request for reconsideration of a Health Services Review decision.
 - E. Health Services Review Appointment. A consultation with a physician, psychiatrist or dentist requested by an inmate to review the existing diagnosis or treatment of written concern.
 - F. Health Services Review Coordinator (HSR Coordinator). An employee of the unit designated to coordinate the process of the Health Services Review.
 - G, Health Services Unit. An organizational component of the health services system, not including a housing unit.
 - H. Return without Disposition. The Administrative Remedy has not been written or processed according to Directive procedures.
 - I. Review. A review by an authorized health services staff member of:
 - (1) an existing diagnostic or treatment decision, including a decision to provide no treatment; (2) an established policy, provision, procedure or practice, or the need for such; or (3) an allegation of improper staff conduct.
 - J. Upheld. The application for Administrative Remedy is granted.
 - K. Utilization Review. A process by which requests for specialty care, treatment, services, and/or diagnostic testing is reviewed for approval based on standardized guidelines.
 - L. Withdrawn. The inmate voluntarily discontinues the pursuit of an Administrative Remedy.

Directive Number 8.9	Effective Date	Page 2 of 5
Title Administrative Remedy for Health Services		

4. Notice.
 - A. This Directive shall be published in English and Spanish. Each inmate and health service provider shall be issued a written summary of this Directive. An inmate whose primary language is Spanish shall receive a copy written in Spanish. Appropriate provision shall be made for those who do not read, speak or understand English and Spanish. Inmates who are impaired or disabled shall receive assistance as necessary.
 - B. English and Spanish copies of this Directive shall be available in each inmate library and shall be provided to an inmate upon request.
 - C. During orientation, each inmate shall receive oral-instruction on this Directive, the means of filing for a review, the subject matters that each type of review pertains to, and the forms and provisions used for filing. This instruction shall encourage questions and take place as part of the orientation curriculum no later than 2 weeks after admission.
5. Access. Each inmate in the custody of the Commissioner of Correction shall have access to a Health Services Review. Special provisions shall be made to ensure access for those requesting assistance.
6. Depositories and Collection. Each request for Health Services Review shall be submitted by depositing the request in a locked box clearly marked as 'Health Services Reviews or Health Services Remedies.' The Unit Administrator shall ensure that these boxes are properly labeled and available in each housing unit. The Health Services Contracted Provider shall assign staff to collect the contents of the boxes, and shall establish a regular and timely collection schedule.
7. Health Services Contracted Provider. The Health Services Provider shall establish the scope of authority and the duties necessary to implement and administer the Health Services Review process for each facility via policies and procedures. Policies shall include a plan for sufficient staff assignments to coordinate the volume of remedies for each facility. Timely instruction regarding this Directive shall be provided to all affected healthcare staff during pre-service or in-service training.
8. Health Services Review Coordinator (HSR Coordinator).

Assigned coordinators shall be responsible at a minimum for the following:

 - A. ensure that instruction about the Health Services Review is included in the inmate orientation curriculum;
 - B. ensure that CN 8901, Appeal of Health Services Review is available in all housing units;
 - C. ensure that the collection of requests from Health Services boxes is regular and timely;
 - D. ensure that Health Services Review requests are properly logged and routed for evaluation and response; and,
 - E. Provide monthly and annual reports for submission to CTDOC.
9. Types of Review. There are two types of Health Services Review:

Directive Number 8.9	Effective Date	Page 3 of 5
Title Administrative Remedy for Health Services		

- A. Diagnosis and Treatment. A review of a diagnosis or treatment including a decision to provide no treatment, relating to an individual inmate.
 - B. Review of an Administrative Issue. A review of a practice, procedure, administrative provision or policy, or an allegation of improper conduct by a health services provider
10. Informal Resolution. The inmate must attempt to seek an informal resolution prior to filing for a Health Services Review. The inmate must attempt to resolve the issue face to face with the appropriate staff member or with a supervisor via written request utilizing CN 9601 Inmate Request Form. The inmate must clearly state the problem and action requested to remedy the issue. The request must be free of obscene or vulgar language or content. A response to the inmate shall be made within 15 calendar days from receipt of the written request.
11. Review of a Diagnosis or Treatment. An inmate, who is dissatisfied with a diagnosis or treatment that pertains to him/herself, may apply for a Health Services Review if informal resolution via inmate request was unsuccessful. By utilizing CN 9602 Inmate Administrative Remedy form an inmate shall check the 'Diagnosis/Treatment' box and explain concisely the cause of his/her dissatisfaction, and deposit the completed form in the Health Services Remedies/Review box. The inmate should provide a concise statement of what particular diagnostic or treatment decision he/she believes to be wrong and how he/she has been affected. A properly submitted request for Review of a Medical Decision shall be handled according to the following procedures:
- A. Upon receipt of CN 9602, Inmate Administrative Remedy Form, the HSR Coordinator shall schedule a Health Services Review Appointment (HSRA) with a physician, dentist, or psychologist /psychiatrist, as appropriate, as soon as possible and at no cost to the inmate, to determine what action, if any, should be taken. If the physician decides that the existing diagnosis or treatment is appropriate, the inmate shall have exhausted the health services review. The physician shall notify the inmate of the decision, in writing within ten (10) business days by indicating 'No Further Action' in the disposition field of CN 9602, Inmate Administrative Remedy Form.
 - B. If the physician decides that a different diagnosis or treatment is warranted, he/she may either (1) act on his/her decision; or, (2) refer the case to the Utilization Review Committee for authorization by indicating 'Change of Treatment' or 'Referred to URC', as appropriate, in the disposition field of CN 9602, Inmate Administrative Remedy Form.
 - C. In the case of Sections 11(A) or 11(B) of this Directive, the physician shall make an entry in the inmate's health record denoting the visit as a Health Services Review Administrative Remedy appointment, in addition to any medical notations.
 - D. If the physician refers a case to the Utilization Review Committee, Attachment A, HR 202, Utilization Review Request shall be completed and reviewed according to the contracted health services provider's Utilization Review policies.
 - E. If the Utilization Review Committee denies a physician's recommendation/opinion of a treatment or diagnosis, an appeal may be initiated by the physician, using Attachment A, HR 202, Utilization Review Request.
 - F. If an inmate receives a Health Services Review appointment, and no change in diagnosis or treatment results from this review, either

Directive Number 8.9	Effective Date	Page 4 of 5
Title Administrative Remedy for Health Services		

through Physician appointment or Physician appeal, he/she may not request a second review for this same issue unless his/her clinical situation has changed significantly since the first review.

12. Review of an Administrative Issue. An inmate who is affected by a circumstance as described in Section 9(B) of this Directive may request a review of a practice or procedure by checking the 'All Other Health Care Issues' box on CN 9602, Inmate Administrative Remedy Form, and depositing it in the Health Services box. The inmate should provide a concise statement of what he/she believes to be wrong and how he/she has been affected. A properly submitted request for Review of an Administrative Issue shall be handled according to the following procedures:
- A. Each review shall be evaluated, investigated and decided upon by HSR Coordinator within thirty (30) days. The outcome shall be indicated by one of the following dispositions: Rejected, Denied, Compromised, Upheld or Withdrawn.
 - B. If the inmate is dissatisfied with the response, the inmate may appeal within ten (10) business days by completing CN 8901, Appeal of Health Services Review and depositing it in the Health Services box.
 - C. The appeal shall be decided by the contracted health services provider (designated facility health services director or designee) within fifteen (15) business days of receiving the appeal, and the inmate shall be promptly notified. For all issues relating to compliance with existing standards, this review shall be final; the inmate shall have exhausted the health services review process.
 - D. If the matter relates to a health services policy of the Department, the inmate may appeal to the DOC Director of Health Services within ten (10) business days of receipt of the response from the contracted health services provider (designated facility health services director or designee) by completing CN 8901, Appeal of Health Services Review and depositing it in the Health Services box.
 - E. Within thirty business (30) days of receipt of such appeal the DOC Director of Health Services or designee shall notify the inmate of the decision. Upon receipt of this decision, the inmate shall have exhausted the Health Services Review for administrative issues.
13. Records.
- A. A log of each Health Services Review request and appeal shall be maintained by the HSR Coordinator.
 - B. A file of each Health Services Review request and appeal shall be maintained by the HSR Coordinator, containing copies of the forms that have been used in the review or appeal.
 - C. The health record of each inmate who has applied for a Review of a Diagnosis or Treatment shall contain a copy of the forms used in the Review, notations in the clinical record including a notation of 'HSR Administrative Remedy' appointment.
 - D. The Health Services Review files of individuals shall be subject to HIPAA standards.
 - E. Administrative records shall be maintained for three (3) years in accordance with Administrative Directive 4.7, Records Retention.
14. Monitoring and Evaluation. The contracted health care provider shall keep an electronic log of all reviews and appeals along with the final disposition of all reviews and appeals. The electronic log shall be

Directive Number 8.9	Effective Date	Page 5 of 5
Title Administrative Remedy for Health Services		

reviewed routinely for timeliness and appropriateness of response according to policy.

The Director of Health and Addiction Services or designee shall have access to the electronic log and shall receive a hard copy report from the HSA upon request.

15. Forms and Attachments. The following forms and attachments are applicable to this Administrative Directive and shall be utilized for the intended function:
 - A. CN 8901, Appeal of Health Services Review;
 - B. Attachment A, HR 202, Utilization Review Request; and,
 - C. Attachment B, Health Services Review Routing Chart.
 - D. Attachment C, Memorandum of Agreement (Coordination of Treatment Services and Referral.)

16. Exceptions. Any exceptions to the procedures in this Administrative Directive shall require prior written approval from the Commissioner.