

## **5-03/080.10 Orthopedic or Prosthetic Medical Appliances**

Inmates shall not be deprived of the possession or use of any orthopedic or prosthetic appliance or footwear item that has been prescribed, recommended, and/or fitted by a physician.

If it comes to the attention of custody personnel that an inmate was not booked with their prescribed orthopedic or prosthetic appliance, or the appliance was withheld at some point during their arrest or incarceration, the inmate shall be directed to submit an Inmate Request Form (SH-J-437) or Inmate Grievance Form (SH-J-420). The request for the items shall be handled in accordance with Custody Division Manual (CDM) section 8-03/030.00, "ADA-Related Requests and Grievances." Retrieval of the items shall be handled as outlined in the Access to Care Bureau (ACB) unit orders relating to the retrieval of medical appliances.

### PROSTHETIC APPLIANCES

A prosthetic appliance is an artificial device that is not surgically implanted and that is used to replace a missing limb, appendage, or any other external human body part. Prosthetic appliances include devices such as artificial limbs, hands, fingers, feet, and toes, but exclude dental appliances and cosmetic devices such as wigs and artificial nails and eyelashes.

### ORTHOPEDIC FOOTWEAR

Orthopedic footwear items include orthopedic boots, shoes, and orthotic insoles. Inmates shall not be deprived of orthopedic footwear that was individually prescribed by a specialist and/or custom fabricated to meet the inmate's needs.

Prescriptions (if available) for orthopedic footwear issued to inmates by an outside doctor may be reviewed by personnel from Correctional Health Services (CHS). If the inmate already possesses orthopedic footwear, personnel from CHS will assess the inmate's medical need for the orthopedic footwear.

Orthopedic footwear manufactured by Los Angeles County + University of Southern California (LAC+USC) Medical Center is permitted for inmate possession and does not require CHS approval. Orthopedic footwear from LAC+USC is black in color, made from faux leather, and has a rubber sole. They fasten with Velcro straps and have no brand name markings.

Approved orthopedic footwear shall be inspected by custody personnel to ensure it does not contain any materials which would be inappropriate in a jail environment. Issued orthopedic footwear shall be inspected during all random and routine searches.

### REMOVAL OF AN ORTHOPEDIC OR PROSTHETIC APPLIANCE OR FOOTWEAR ITEM

If there is probable cause to believe possession of an orthopedic or prosthetic appliance or footwear item constitutes an immediate risk of bodily harm to any person in the facility or threatens the security of the facility, the appliance or item shall be temporarily removed for inspection and its removal shall be documented on the Arrestee Medical Appliance Clearance Record ([SH-R-423](#)), pending an assessment by Correctional Health Services (CHS) and a determination by the watch commander.

Probable cause that a prosthetic appliance constitutes an immediate risk of harm to persons, or the security

of the facility shall not be solely based on the appliance's material, if the material is common to the composition of prosthetic appliances (e.g., reinforced plastics, metal alloys, etc.).

Medical appliances shall not be dismantled or disassembled beyond what is reasonably necessary for inspection.

### **CHS Assessment**

An inmate whose appliance is removed shall be expedited to CHS medical staff as soon as practical but no later than within **ten (10) hours** of the removal of the appliance, to allow for a timely examination of the inmate's orthopedic or prosthetic appliance or footwear item. CHS's assessment, including whether the removal negatively impacts the health or safety of the inmate and if it is recommended that the inmate retain possession of the medical appliance, shall be documented in the Arrestee Medical Appliance Record.

In exigent circumstances where CHS is unable to complete this assessment within **20 hours** of the removal, the watch commander shall be notified and shall expedite their evaluation and determination of whether the appliance is to be returned to the inmate.

### **Watch Commander Determination**

The watch commander shall consider the recommendation from CHS when determining whether to approve or deny possession of the medical appliance by the inmate. The watch commander's determination shall additionally be based on factors such as the inmate's charge, security level, special handle classification, and/or prior history of assault towards staff or other inmates.

### **Approval or Denial of Inmate Possession of the Appliance**

If the watch commander determines the appliance is to be withheld from the inmate, the watch commander shall provide the inmate with the proper form to petition the Superior Court for return of the appliance, pursuant to Penal Code section 2656, "Orthopedic or Prosthetic Devices," and ensure a telephonic or emailed notification is made to the Custody Services Division Americans with Disabilities Act (ADA) Compliance Team. The withheld appliance shall be booked in the inmate's property.

If the watch commander determines the appliance is not a security risk and approves the inmate's possession of the appliance, the appliance shall be returned to the inmate within **24 hours** of the removal.

### **HANDLING OF CONTRABAND**

Any orthopedic or prosthetic medical appliance or footwear item found to have been altered from its original form or purpose to pose a safety hazard, or whose prescription has been rescinded as determined by CHS, shall be considered contraband (refer to CDM section 5-07/010.00, "Contraband Defined").

The altered orthopedic or prosthetic medical appliance or footwear item shall be removed from the inmate, and released to a designated person in accordance with section 5-07/020.00, "Contraband Disposal." In addition, personnel may remove any orthopedic or prosthetic medical appliance or footwear item found to be used by the inmate in a manner that poses a safety risk to other inmates or the security of the facility, and shall ensure the watch commander is immediately notified.

Upon the removal of an orthopedic or prosthetic medical appliance or footwear item, a new Arrestee Medical Appliance Clearance Record (SH-R-423) shall be completed. The removal of the orthopedic or prosthetic medical appliance or footwear item, and reason for removal, shall be documented in the Watch Commander's Log and an electronic notification made to the "ADA Compliance-Custody" e-mail group. Custody personnel shall promptly expedite the inmate to CHS for evaluation as outlined in this policy, and in compliance with Penal Code section 2656.

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