

## **5-09-005 Reporting of Communicable Diseases and Protective Gear- Approved by CSS 08/23/23**

### **PURPOSE OF ORDER:**

The purpose of this order is to distribute information concerning inmates at Century Regional Detention Facility (CRDF) who have been exposed to or infected with Acquired Immune Deficiency Syndrome (AIDS), or other contagious, infectious, or communicable diseases. This information will be made available to all personnel, contract personnel, and volunteers who have or may have direct contact with the inmate in question or their bodily fluids.

### **SCOPE OF ORDER:**

This order shall apply to all personnel assigned to and/or working in any capacity at the CRDF.

### **ORDER:**

Personnel who observe or are informed of activity that may cause the transmission of HIV/AIDS or other communicable diseases shall take immediate action. The activity shall be documented via an Inmate Incident Report (SH-J-213) and/or Complaint Report (SH-R-49) as appropriate, and a Department of Health Services Form, "Request and Decision for HIV Testing (DHS 8459), pursuant to the Department Manual of Policy and Procedures, section 5-03/175.25, "Reporting of Inmate's Exposure to AIDS and other Communicable Diseases."

The information reported shall remain confidential. All employees shall maintain the confidentiality of inmates' personal information except when disclosure is necessary to obtain medical or psychological care or advice.

When seeking medical or psychological care or advice, disclosure of confidential information shall be only to those necessary to obtain the advice and shall in no instance be available to other inmates.

### **Inmates Who Claim to Be Infected with HIV/AIDS or Other Communicable Diseases**

Any inmate within Custody Services Division that alleges to be infected with the HIV/AIDS virus or any other communicable disease shall be expedited to the CRDF main clinic. Correctional Health Services (CHS) personnel upon examination and evaluation, will determine if transportation to the Inmate Reception Center (IRC)/Twin Towers Correctional Facility (TTCF) or other medical facility is needed.

Upon receiving confirmation from CHS personnel that an inmate is infected or contagious and requires decontamination or isolation, the watch commander shall direct custody personnel to escort the inmate, with precautions, to the appropriate medical housing area.

The CRDF watch commander shall be responsible for notifying all employees and volunteers entering CRDF, not otherwise covered by this order, that they may have direct contact with inmates having, or suspected of having HIV, AIDS, ARC, Hepatitis, or other communicable or infectious diseases.

### **Inmate Processing and Release**

Inmates entering custody who are under the care of a health provider for HIV/AIDS, upon intake into reception, shall be immediately taken to the clinic located within reception where their medication needs will be assessed. Any prescribed medication in the inmate's possession shall be placed in their property. Inmates who meet the criteria for the self-medication program will be enrolled by the IRC physician and nursing staff. When HIV patients who are enrolled in the self-medication program are released from custody, all jail issued medication shall be given to the inmate along with any medication held in their property.

### **Responsibilities of the watch commander**

Upon notification by a station, facility, or Court Services supervisor of an HIV/AIDS infected inmate in transit, the watch commander shall:

- Notify the IRC nursing supervisor or their designee
- Provide an estimated time of arrival
- Notify the IRC nursing supervisor or their designee upon arrival of the inmate before accepting custody of the inmate
- Custody of the inmate shall not occur if the IRC nursing supervisor or their designee determines the inmate is medically unstable
- Refer the inmate to an acute care hospital for further evaluation at the direction of the IRC nursing supervisor or their designee

### **Responsibilities of the Inmate Reception Center Nursing Supervisor**

The IRC nursing supervisor, upon notification by a station or facility watch commander or Court Services supervisor of an identified HIV/AIDS infected inmate, will obtain:

- The name of the inmate
- The inmate's booking number
- The names of the inmate's medication(s), including the time of the last dose
- The inmate's current condition
- Name and employee number of the station watch commander or court supervisor
- The name of the station or court lock-up
- The estimated time of arrival
- The date and time of the call

Based on this information, the nursing supervisor will assist the facility watch commander or court supervisor in determining the need to expedite the inmate to IRC, self-medicate, or to transport to an acute care hospital. The nursing supervisor will also notify the IRC watch commander if not already notified.

### **Responsibilities of Correctional Health Services**

#### **Chief Physician**

The chief physician, CHS personnel, custody medical liaison (MCJ, TTCF), or their designee, will report to the facility watch commander all information received by medical personnel that an inmate in custody has been

exposed to or infected by the HIV/AIDS virus or other communicable disease.

The report should be made as soon as possible, and in no event more than 24 hours after the staff receives the information. The report shall be confidential and contain the following:

- The inmate's name
- The results of all laboratory tests indicating exposure to or infection by the HIV/AIDS Virus or other communicable disease
- The specific disease the inmate has contracted
- Any statement by the inmate to medical staff that he has been exposed to or infected by AIDS or other communicable disease

The chief physician of CHS will provide a daily list to the unit commanders and custody medical liaison (MCJ, TTCF) of all inmates who have HIV/AIDS or any other communicable disease. The chief physician will also provide a daily list of inmates who no longer have a communicable disease to the IRC watch commander.

### **Reporting Exposure for Employees**

Employees shall notify their supervisor and the watch commander when they or any inmate has had contact with the bodily fluids of another and wish to exercise their rights under Penal Code sections 7510 through 7516.

The employee shall then complete the "Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report" (SH-R-426) and submit it to their immediate supervisor without delay. If several employees have been exposed to the same inmate, the watch sergeant may direct a SH-AD-32A be completed instead of a SH-R-426.

An employee who believes they have had contact with the bodily fluids of a person in custody shall report this to the unit commander using the "Report of Request and Decision for HIV Testing" (DHS 8459). The report shall be submitted by the end of the employee's shift but no later than two days after the incident. The report shall include, but not be limited to:

- Names of witnesses to the incident
- Names of persons involved in the incident
- All written statements from involved parties
- Observations
- Narrative of the incident
- Any request by the employee for the County Health Officer to order HIV testing of the inmate

CHS personnel as assigned by the chief physician will review the inmate's medical history and attempt to obtain the inmate's legal consent for all appropriate treatment, pre-test counseling, and tests.

The petition for blood testing and the declaration of the employee requesting blood testing shall be completed by the employee.

All information, including information contained in other reports concerning the same incident shall remain

confidential. All employees shall maintain the confidentiality of inmate personal data, except for disclosure to obtain medical or psychological care, or to pursue a court or administrative hearing.

### **Reporting of Inmate's Exposure**

Inmates who allege they have come into contact with the bodily fluids of another inmate shall be advised of their right to request HIV testing of the other inmate, pursuant to Penal Code section 7512 (a), "Request for Testing by an Inmate," and the Department Manual of Policy and Procedures, section 5-03/175.25, "Reporting of Inmate's Exposure to AIDS and Other Communicable Diseases."

Employees shall notify any inmate who is the victim of any criminal complaint filed with a magistrate or court, alleging any violation of Penal Code sections 261, 261.5, 262, 266(b), 266(c), 286, 288, or 288(a) of their right to make a written application to the District Attorney to petition the court for an order requiring the defendant to provide two specimens of blood, per section 121050 through 121070 of the Health and Safety Code. Employees should advise the inmate to include the name(s) of the inmate(s) involved, the names of the witnesses to the incident, observations, and statements of the personnel involved, as well as any other pertinent information.

### **Operations Sergeant**

The operations sergeant shall log all reports directed to the unit commander. The operations sergeant shall include the following information:

- Date and time
- URN or file number
- Any requests for HIV testing by inmates
- Pertinent information which may be of statistical value

The operations sergeant shall forward a copy of the "Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report" (SH-R-426) and "Report of Request and Decision for HIV Testing (DHS 8459) forms to:

- The Los Angeles County Director of Health Services; 313 North Figueroa Street, Los Angeles, California 90012
- The Chief Physician of CHS; [REDACTED TEXT]

In the event an inmate is a victim of a crime, the operations sergeant shall send a copy of the request for testing form to the Jail Investigations Unit along with a copy of the crime report.

Upon receipt of a "Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report," the operation sergeant shall ensure the following:

- In all cases where an employee requests blood testing of an inmate, the operations sergeant shall request the chief physician to obtain a voluntary sample from the inmate
- If the contact results from a crime against the employee and a blood test cannot be obtained voluntarily, the employee shall be given the legal forms to petition the court for blood testing. Operations personnel

shall assist the employee in completing these forms and forwarding the completed forms to the legal advisor.

- The “Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report” is forwarded to the Department’s Injury and Health Support Unit.

### **CHS and County Counsel**

The chief physician of the CHS, upon receipt of the “Hazardous Materials Injury/Toxic Substances/Communicable Disease Exposure Report,” or “Request and Decision for HIV Testing” forms, will contact the inmate and attempt to obtain the inmate’s voluntary consent to provide a blood sample. If consent is given, the chief physician will order the blood drawn and tested. The results of the test will be reported, either telephonically or in person, to the victim and/or the involved employee by the chief physician.

If voluntary consent is not given and a criminal case is filed by the District Attorney’s Office alleging the defendant interfered with the duties of a peace officer by biting, scratching, spitting, or transferring blood or other bodily fluids onto him/her, the peace officer may request the court to order the inmate to be tested for AIDS and other communicable or infectious diseases. The petition and supporting documents shall be filled out by the employee with the assistance of operations personnel. The legal documents shall be forwarded to the county counsel for completion and filing in court. CHS personnel will not order forensic medical services, including drawing and testing blood from inmates for the purpose of prosecution. Results of the tests will be provided to the employee and the victim as required by law.

### **Communicable Disease Protective Equipment and Precautions**

The Communicable Disease Protective Equipment Kit shall include:

- One box of disposable face masks
- One box of disposable rubber gloves
- One box of disposable paper towels
- Two cans of disinfectant spray
- Ten disposable plastic bags
- One resuscitation mask for cardiopulmonary resuscitation (CPR)

The following areas of the facility shall maintain a Communicable Disease Protective Equipment Kit:

- Administrative/Operations Office
- Cashier's Office
- Floor control booths (6)
- Kitchen officer's booth
- Visiting
- Facility Vehicles (Used for Inmate Transportation)
- Booking sergeant's Office
- Loading dock
- Inmate Services' Office
- Main Control
- Reception sergeant's Office
- Watch sergeant's Office

After an incident in which any part of the Communicable Disease Protective Equipment Kit is used, the responsible employee shall write a memorandum to the operations sergeant detailing which items were used and a notation made in the e-UDAL (electronic Uniform Daily Activity Log) or the vehicle checklist. The operations sergeant or their designee shall be responsible for immediately restocking the deficient kit.

**Safety Equipment Usage for Risk Reduction**

Inmates suspected of having a communicable disease shall wear safety equipment as determined by CHS personnel.

**Revised 06/28/23**

**Revised 08/31/20**

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