

	State of Indiana Indiana Department of Correction	Effective Date	Page 1 of	Number
HEALTH CARE SERVICES DIRECTIVE-ADULT Manual of Policies and Procedures		4/1/2022	2	1.15A

Title PRIVACY OF CARE

Legal References (includes but is not limited to)	Related Policies/Procedures (includes but is not limited to)	Other References (includes but is not limited to)
IC 11-8-2-5	01-02-101	National Correctional Healthcare Standards

I. PURPOSE:

This Health Care Services Directive (HCSD) outlines the privacy that shall be afforded to patients without jeopardizing the safety and security of the facility, staff, or incarcerated individuals.

II. GUIDELINES:

- A. Health care encounters, including physical, behavioral and transitional health interviews, examinations, and procedures, shall be conducted in a setting that respects the patient's privacy.
- B. Within correctional settings, privacy requirements and security requirements may conflict when health care activities are being performed. It is necessary to provide respect and privacy when that can be accomplished without placing the provider or others at risk. **Security remains paramount.**
- C. At all security levels, personal safety requires that employees not be isolated simultaneously by sight and sound. All patients and personnel must be aware at all times that such isolation is administratively prohibited.

Concurrently, patient's shall not be interviewed or examined in settings that fail to provide privacy from each other except in settings such as emergency rooms and multiple occupancy inpatient rooms. In the latter settings staff shall endeavor to provide whatever privacy can be provided (e.g., portable curtains, partitions, and to limit sensitive discussions and activities when possible).

- D. Custody staff are permitted to remain with patients, even in examination rooms, when necessary to maintain safety and security. Although Custody

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staff have been instructed regarding confidentiality, it is useful to remind Custody staff of confidentiality practices when they are privy to sensitive information or circumstances. When Custody staff and Health Services staff are working in the same rooms, Custody staff shall follow privacy requirements and provider's instruction regarding confidential health information.

- E. In circumstances where Custody and Health Services personnel share the same work area, all Custody staff members shall be instructed regarding the confidentiality of the health information they may learn.
- F. All Health Services staff member's workstations shall be logged out, locked, and secured when not in use.
- G. All staff members are required to uphold all Health Insurance Portability and Accountability Act (HIPPA) laws, rules, and regulations.

III. APPLICABILITY:

This Health Care Services Directive is applicable to all facilities providing Health Services to incarcerated adults.

signature on file

Kristen Dauss, MD
Chief Medical Officer

Date