

 <p>State of Indiana Indiana Department of Correction Division of Youth Services</p>	Effective Date 5/1/2024	Page 1 of 5	Number 2.17Y
<p>HEALTH CARE SERVICES DIRECTIVE-YOUTH Manual of Policies and Procedures</p>			

<p>Title HEALTH SERVICES FOR TRANSGENDER AND GENDER DIVERSE YOUTH</p>
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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 02-01-115 01-04-101	National Correctional Healthcare Standards

I. PURPOSE:

The purpose of this Health Care Services Directive (HCSD) is to provide guidance for the diagnosis, treatment and management of youth who identify differently than the gender they were assigned at birth. The intent of the Indiana Department of Correction (Department) is to avoid any discriminatory actions and to ensure an appropriate continuum of care for this population, maintaining dignity and respect for all.

II. DEFINITIONS:

- A. GENDER: The male or female division of a species, especially as differentiated by social and cultural roles and behavior.
- B. GENDER DIVERSE: An umbrella term covering any gender identity or expression that does not fit within the gender binary. The label may also be used by individuals wishing to identify as falling outside of the gender binary without being any more specific about the nature of their gender. Examples include gender fluid, gender queer, intergender, or agender.
- C. GENDER DYSPHORIA: A condition in which an incongruence between one's sex assigned at birth and one's gender identity results in psychological distress. Individuals who experience gender dysphoria may pursue multiple domains of gender affirmation which include social, legal, medical, and/or surgical interventions. Not all individuals who are transgender will desire all domains of gender affirmation, and not all individuals who identify as transgender or gender diverse will have a diagnosis of gender dysphoria.
- D. GENDER DYSPHORIA REVIEW COMMITTEE: The evaluating psychologist and psychiatrist in addition to the regional mental health team who review and discuss whether a gender dysphoria diagnosis is present and what corresponding treatment should occur.

HEALTH CARE SERVICES DIRECTIVE-YOUTH			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number	Effective Date	Page	Total Pages
2.17Y	5/1/2024	2	5
Title			
HEALTH SERVICES FOR TRANSGENDER AND GENDER DIVERSE YOUTH			

- E. GENDER IDENTITY: An internal sense of being a man, woman, or something outside that binary. This is different from physical sex, which is assigned at birth based on sex characteristics.
- F. HORMONE REPLACEMENT THERAPY: A form of hormone therapy in which sex hormones and other hormonal medications are administered to individuals who are transgender or gender nonconforming for the purpose of more closely aligning their secondary sexual characteristics with their gender identity.
- G. INTERSEX: A condition usually present at birth that involves reproductive, genetic, or sexual anatomy that does not seem to fit the typical definitions of female or male. Intersex identification does not necessarily mean the individual also identifies as transgender or experiences gender dysphoria.
- H. MULTIDISCIPLINARY TEAM (MDT): A treatment team comprised of individuals from different disciplines that contribute a broad range of perspectives and treatment modalities in the management of youths' needs.
- I. PRISON RAPE ELIMINATION ACT (PREA): The federal law addressing sexual violence in prison, jails, and other correctional facilities. Under PREA, the National Prison Rape Elimination Commission was created with the responsibility for establishing standards for the prevention, detection, response, and monitoring of sexual abuse and violence within correctional systems.
- J. QUALIFIED MENTAL HEALTHCARE PROFESSIONAL (QMHP): A person with professional training, experience, and demonstrated competence in the treatment of mental illness. QMHPs include physicians, psychiatrists, psychologists, social workers, mental health counselors, mental health nurse practitioners, mental health-trained nurses, or other qualified persons as designated by the Executive Director of Behavioral Health Services.
- K. TRANSGENDER (TG): An individual whose gender identity or gender expression differs from the sex they were assigned at birth. It is not a diagnosis and is often the self-label assumed by individuals who cross-gender feelings and behaviors.
- L. TRANSGENDER REVIEW COMMITTEE: A treatment team, comprised of individuals from different on-site disciplines that contribute a broad range of perspective and treatment modalities in the management of youths' needs. This committee should include the classification supervisor, PREA Compliance Manager, Medical, Behavioral Health, Unit Team staff, Custody and Deputy Warden at minimum.
- M. TRANSITIONING: A process that an individual who is transgender goes through to begin living their life in a way that aligns with their gender identity. Transitioning may also be regarded as an ongoing process of physical change and psychological adaptation. This may or may not include social, legal, medical, or

HEALTH CARE SERVICES DIRECTIVE-YOUTH			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number 2.17Y	Effective Date 5/1/2024	Page 3	Total Pages 5
Title HEALTH SERVICES FOR TRANSGENDER AND GENDER DIVERSE YOUTH			

surgical treatment. The decision to transition is made by the individual who is transgender in cooperation with physical and behavioral health professionals.

III. IDENTIFICATION:

Persons who are transgender or gender diverse often feel that they are a gender other than that which was assigned to them at birth early in life. Youth may come into the Division of Youth Services already knowing, or may come to the realization during their incarceration, that they are transgender or gender diverse. Living with people or in environments that are unsupportive or that discourage diversity may result in a youth feeling like they are transgender or gender diverse but that they are not safe to come out. The stress and fear of being different during incarceration may exacerbate this reluctance and prevent some youth from identifying as transgender upon intake to the Division of Youth Services. Therefore, this process is applicable to all incoming, returning, or youth already housed within the Division of Youth Services. The process and timelines outlined will be followed regardless of identifying as intersex, transgender, or gender diverse to staff during intake or another time during their stay in DYS.

It should be noted that if a youth reports being transgender or gender diverse in a therapeutic setting and asks their clinician that the information not be disclosed to others, confidentiality does exist, and the process does not need to continue per this policy. This confidentiality includes situations where the youth does not feel comfortable with their identity as transgender or gender diverse being disclosed to a parent or guardian.

A youth who has been diagnosed as intersex, or who self-identifies as transgender or gender diverse shall be referred for a medical appointment by a medical provider within twenty-four (24) hours of the diagnosis or disclosure. The medical provider shall see the youth within seven (7) days of referral. The youth shall also be referred for a mental health assessment by a qualified mental healthcare professional (QMHP) within twenty-four (24) hours of the diagnosis or disclosure. The QMHP shall see the youth within seven (7) days of referral.

IV. MEDICAL EVALUATION

The medical provider shall complete a medical evaluation that includes information about the youth's diagnosis of intersex including determination of genital status if unknown or previously diagnosed as ambiguous, if applicable; gender identification; and history of treatment such as taking hormones or undergoing any surgeries to align with their identified gender. If the patient has already begun a process of transitioning, continued health service needs such as continuation of hormone replacement therapy should be evaluated and managed during this appointment for continuity of care.

This assessment will assist with housing assignment to provide the safest and most secure environment for the youth, the youth population, the Department, and Department staff. Therefore, the medical provider shall be required to complete the medical portion of State Form 456492, "Transgender Evaluation" during the evaluation. The form shall be submitted to the Health Services Administrator (HSA) upon completion.

HEALTH CARE SERVICES DIRECTIVE-YOUTH			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number 2.17Y	Effective Date 5/1/2024	Page 4	Total Pages 5
Title HEALTH SERVICES FOR TRANSGENDER AND GENDER DIVERSE YOUTH			

V. MENTAL HEALTH ASSESSMENT

The QMHP shall complete an assessment that includes, but is not limited to, an assessment of the youth's gender identification; treatment and life experiences prior to and during incarceration; current and previous treatment to include therapy, hormone replacement therapy, surgical interventions, legal interventions such as name or sex on identification documents; and social or private expressions that conform to their gender identity. This assessment will also evaluate the youth's current emotional status, suicide risk, and treatment desires.

The assessment will be used to identify appropriate housing assignments and potential accommodations needed, therefore the QMHP shall complete the mental health evaluation portion of State Form 56492, "Transgender Evaluation," and shall submit it to the HSA upon completion.

If a diagnosis of gender dysphoria is being considered, the site's lead psychologist shall convene a Gender Dysphoria Review Committee with the youth's therapist, the site medical provider, site HSA, the Health Services vendor's Regional Director of Behavioral Health, Regional Director of Mental Health, and Regional Director of Psychiatry. If a diagnosis of gender dysphoria is affirmed, it shall be added to the youth's electronic medical record by the site's lead psychologist or psychiatrist. Recommended accommodations will be shared with the Warden, multidisciplinary team, Executive Director of the Division of Youth Services, Executive Director of Behavioral Health, and the Executive Director of PREA Compliance.

The Division of Youth Services has a number of available accommodations for transgender or gender diverse youth to promote healthy gender identification, prevent unnecessary distress and psychological distress, and to reduce the risk of suicide for this population of youth. All gender diverse persons will be encouraged to share their preferred pronouns and staff are encouraged to refer to them as such. Recommended material accommodations shall be provided to youth with a diagnosis of gender dysphoria upon the recommendations being provided to the site's administrative staff by the lead psychologist.

VI. TRANSGENDER REVIEW PROCESS:

Once State Form 56492, "Transgender Evaluation" is complete, the Health Services Administrator will forward a copy to the Regional Director of Mental Health and PREA Compliance Manager. The PREA Compliance Manager then must schedule a Transgender Review Committee meeting to review applicable forms and discuss the patient's requests for potential accommodations. The patient should also be invited to this meeting. A summary of this Transgender Review Committee should be documented in the EMR by the mental health provider.

Within five (5) business days of the Transgender Review Committee meeting, the PREA Compliance Manager shall forward a completed copy of State Form 56615, "Transgender/Intersex Placement Review," the last completed PREA Screen, a completed copy of State Form 56492, "Transgender Evaluation," and documentation from a QMHP

HEALTH CARE SERVICES DIRECTIVE-YOUTH			
Indiana Department of Correction			
Manual of Policies and Procedures			
Number 2.17Y	Effective Date 5/1/2024	Page 5	Total Pages 5
Title HEALTH SERVICES FOR TRANSGENDER AND GENDER DIVERSE YOUTH			

affirming a diagnosis of gender dysphoria, if applicable, to the Executive Director of PREA Compliance.

Within thirty (30) days of receipt, the Executive Director of PREA Compliance will convene a Facility Placement Review meeting including executive staff from the Division of Youth Services, Classification, Operations, Programs/Re-entry, Behavioral Health and Policy Management to discuss facility placement suggestions from the Transgender Review Committee and recommended accommodations from the youth's treating mental health staff. The Facility Placement Review committee will make a determination about whether the youth is housed in a location that will offer optimal safety and security for them within the Division of Youth Services.

VII. TREATMENT OPTIONS FOR TRANSGENDER OR GENDER DIVERSE YOUTH:

Youth diagnosed as intersex or with gender dysphoria shall be enrolled on the mental health roster and in Chronic Care Clinic to develop an Individualized Treatment Plan that addresses physical and mental health interventions. Treatment options to alleviate symptoms of gender dysphoria, reduce comorbid mental health conditions, reduce risk of suicide, and improve overall quality of life vary. Department staff will adhere to all State laws and regulations in consideration of appropriate treatment options on a case-by-case basis.

VIII. APPLICABILITY:

This HCSD is applicable to all youth housed within the Division of Youth Services.

Adrienne Bedford, MD
Chief Medical Officer

Date