

# HEALTH SERVICES POLICY & PROCEDURE MANUAL

North Carolina Department Of Correction  
Division Of Prisons

SECTION: Care and Treatment of Patient –  
Disabilities

POLICY # TX VII-2

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SUBJECT: Physical, Mental, or Cognitive Disabilities

EFFECTIVE DATE: August 2009  
SUPERCEDES DATE: May 2002

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## PURPOSE

The general purpose of services for inmates with physical disabilities is to facilitate adjustment to the prison environment and provide access to and assist participation in all appropriate prison programs and services.

## POLICY

The Division of Prisons prefers to integrate these inmates into the regular prison population to the greatest extent feasible; however, some inmates may require specialized housing, equipment, and/or services to participate in and benefit from programs, services, and activities.

### Definition

A physical disability is any physiological, mental, or cognitive disorder, condition, or anatomical loss affecting one or more bodily functions, such as vision, hearing, speech, mobility, or manual dexterity. This disability is considered to be substantially limiting if the person is unable to perform independently any major life activity that the average person in the general population can perform, such as, seeing, hearing, walking, talking, self-care, learning, working, etc.

## PROCEDURE

### **I. RESPONSIBILITY**

It is the responsibility of the Diagnostic Center staff to initially assess an inmate's need for specialized housing or services. Any DOP facility staff identifying a potential need for accommodations may make a referral for services at any time during the inmate's incarceration. Inmates who are identified by medical staff as having a physical, mental, or cognitive disability which substantially limits their ability to function will be referred to the Division's Social Work Program Director for tracking and service coordination. All requests for accommodation, specialized housing, and/or specialized services should be forwarded to the Social Work Program Director as soon as the request and/or need is made known to DOP staff. (See form DC-746 attached).

### **II. HOUSING AND ASSIGNMENTS**

- A. Inmates with physical, mental or cognitive disabilities may require housing in specially designated units which provide accessibility to programs, services, and activities.
  1. Special equipment and/or services will be available at these designated units.
  2. Inmates refusing transfer to a unit designated for accommodation based on their needs may waive their right to access these programs, services, and activities; however, the inmate will be advised that these benefits may not be available at other units.
  3. Inmates with mobility impairments must be housed in handicap accessible housing areas, which include accessible toilet and shower facilities and wheelchair access to programs, services and activities provided at the facility.
- B. Inmates with physical, mental or cognitive disabilities including impaired mobility should be given job and program assignments based on their individual abilities. Inmates with severe disabilities who are found to be unable to participate in educational and vocational programs should be evaluated for inclusion, as qualified, under the Medically Unfit Gain Time Policy (DOP Policy and Procedure Manual, Chapter B, Section .0116, Sentence Reduction Credits: Medically Unfit Gain Time, issued 08/25/03).

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## III. SPECIALIZED SERVICES

### A. Deaf or Hard of Hearing

Inmates who are Deaf or Hard of Hearing may require specialized equipment and/or staff assistance to ensure clear communication and access to services. A TTD/TTY Telephone and Closed Captioned TV will be provided at designated units.

#### 1. Interpreters

For deaf and/or hard of hearing inmates who use sign language, a qualified interpreter may be provided as needed for essential medical, dental, and psychological services, vocational and/or educational programs as well as, during diagnostic, orientation, and disciplinary processes as outlined below **and with the prior approval of the Social Work Program Director.**

##### a. Guidelines for Acquiring an Interpreter:

A qualified interpreter will be obtained for the following:

1. Initial diagnostic/reception process and orientation to the prison system.
2. Medical examinations, tests, or intrusive procedures which require complex questions or exchange of information between health care professionals and the inmate. Routine sick call requests for medical and mental health services should be utilized as a screening to determine if there is a need for a scheduled appointment with an interpreter.
3. On-going mental health counseling.
4. Disciplinary procedures - investigative communication, statements, and hearing.
5. Educational and/or Vocational Programs as approved by the Social Work Program Director.

Interpreter services must be acquired for the above services by contacting the Social Work Program Director or her designee.

#### 1. Non-certified Interpreters

Non-certified interpreters, such as unit staff, community volunteers or other inmates, who have some functional sign language skills, may be utilized to provide assistance in daily communication such as responding to announcements, and during social group activities.

**Non-certified interpreters are under no circumstance to be utilized for medical, mental health, educational or vocational programs, or legal communications.**

#### 2. Written Communication

For those inmates who do not use sign language, written communication should be utilized to ensure clear communication. For those inmates who do use sign language, written communication can be utilized in regular daily communication; however, it cannot substitute for a qualified interpreter in the provision of essential services as stated above.

#### 3. Access to Programs and Activities

Unit staff are responsible for informing inmates of all pertinent announcements, meals, wake-up calls, count, etc. which are normally communicated over the facility public address system. Inmates who desire to participate in a program or activity must notify DOP staff prior to the program or activity if they require an interpreter. Requests for interpreter services will be considered on an individual basis and forwarded to

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the Social Work Program Director as soon as possible. **All interpreter service requests require prior approval and coordination of services with the Social Work Program Director.**

- B. Blind or Visually Impaired Inmates who are blind or severely visually impaired may require assistance to access programs and services.
1. A staff or volunteer reader/writer may be required to ensure clear communication regarding unit procedures, rules, and regulations.
  2. All requests for assistance for Blind/Visually Impaired Inmates should be made to the Mental Health Social Worker assigned to the unit. All requests for specialized services for Blind/Visually Impaired Inmates will be coordinated and reviewed for approval by the Social Work Program Director.
- C. Mobility Impaired Inmates  
Inmates who have limitations in mobility will be housed at those facilities designated as having accommodations needed to maximize the mobility potential of the inmate. All inmates requiring specialized adaptive equipment as a documented medical necessity will be provided that equipment by the Division of Prisons. At the time of the inmate's release from prison, the equipment assigned to that inmate will be returned to Division of Prisons' Durable Medical Equipment stock. Referrals will be made through the Medical Aftercare Planning process as described in Health Services Policy CC-8 to access medical equipment documented as a medical necessity for the inmate's use in the community post-release. **At no time is an inmate to be released in possession of Division of Prisons' Durable Medical Equipment.**
- D. All other requests for accommodation should be made by the inmate at the facility on the form DC746 and processed by facility staff as noted on the form. All requests for information, clarification or assistance in providing accommodations should be made to the Social Work Program Director in Health Services.



8/13/09

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Paula Y. Smith, MD, Director of Health Services

Date

SOR: Social Work Program Director