



BOARD OF CORRECTIONS
POLICY NUMBER: 20-14
SUBJECT: Offender Health Records
DATE: January 1, 2012

20-14.1 **POLICY** The Board of Corrections supports maintenance and security of offender health records administered in accordance with applicable Code of Virginia sections and with departmental operating procedures and requiring the following elements:

1. Institutions shall document that copies of the health records of all inmates transferred from a jail are transferred to the custody of medical personnel at the receiving institution, and that confidentiality of the records is preserved during the transfer.
2. A complete health record for each inmate shall be created, organized, maintained, and stored according to procedures, and shall document all the health services rendered during the entire period of incarceration.
3. The principle of confidentiality of the health record shall be upheld and shall support the following requirements:
 - a. The health record shall be maintained separately from the institutional record
 - b. Access to the health record shall be controlled by the health authority and shall be granted only to those who require it under departmental procedures and applicable law
 - c. The health authority shall share with the warden/superintendent information regarding security and the inmates' medical management, transfer, and ability to participate in programs.
4. Appropriate documentation shall accompany the inmate to all departmental facilities whether for intrasystem transfer or for medical consultations and that the confidentiality of the record is strictly maintained during such transfer.
5. Inactive health record files shall be retained as permanent records in compliance with departmental procedures and state and federal laws and regulations.

20-14.2 **AUTHORITY** Code of Virginia, Sections
[8.01-413](#), Certain copies of health care provider's records or papers of patient admissible
[32.1-36.1](#), Confidentiality of test for human immunodeficiency virus
[32.1-127.1:03](#), Health records privacy
[53.1-32](#), Treatment and control of prisoners; recreation; religious services
[53.1-40.10](#), Exchange of medical and mental health information and records
[53.1-133.03](#), Exchange of medical and mental health information and records

20-14.3 **REFERENCES**

None

20-14.4 **IMPLEMENTING PROCEDURES**

Operating Procedure 701.3, Health Records

20-14.5 **EFFECTIVE DATE** January 1, 2012

20-14.6 **SUPERSESSSION** This is the first issue.

20-14.7 REVIEW DATE This policy must be reviewed within two years of the effective date and updated as necessary.

Adopted by the Board of Corrections on November 16, 2011.

Signature Copy on File

Peter G. Decker, III
Chairman
Board of Corrections