

**U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
ENFORCEMENT AND REMOVAL OPERATIONS
ICE HEALTH SERVICE CORPS**

PRE-SCREENING

**IHSC Directive: 03-08
ERO Directive Number: 11742.2
Federal Enterprise Architecture Number: 306-112-002b
19 January 2015
Annual Review: 21 Mar 2016 No Changes**

**By Order of the Acting Assistant Director
Stewart D. Smith, DHS/s/**

- 1. PURPOSE:** This issuance sets forth the policy and procedures for the completion of a receiving pre-screening health assessment.
- 2. APPLICABILITY:** This directive applies to all IHSC personnel, including but not limited to, Public Health Service (PHS) officers and federal employees supporting health care operations in ICE-owned or contracted detention facilities and to IHSC Headquarters (HQ) staff. This directive applies to contract personnel when supporting IHSC in detention facilities and at HQ. Federal contractors are responsible for the management and discipline of its employees supporting IHSC.
- 3. AUTHORITIES AND REFERENCES:**
 - 3-1.** Title 8, Code of Federal Regulations, Section 235.3 (8 CFR 235.3), Inadmissible Aliens and Expedited Removal;
 - 3-2.** Section 232 of the Immigration and Nationality Act (8 USC 1222), Detention of Aliens for Physical and Mental Examination;
 - 3-3.** Title 8, Code of Federal Regulations, section 232 (8 CFR 232), Detention of Aliens for Physical and Mental Examination;
 - 3-4.** Section 322 of the Public Health Service Act (42 USC 249(a)), Medical Care and Treatment of Quarantined and Detained Persons;
 - 3-5.** Title 42, U.S. Code, Public Health Service Act, Section 252 (42 USC 252); Medical Examination of Aliens.
- 4. POLICY:** Health care providers perform a receiving pre-screening as soon as possible on all IHSC detainees on arrival at the intake facility to ensure that

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5. **PROCEDURES:** None.

6. **HISTORICAL NOTES:** This is an annual review with no changes.

7. **DEFINITIONS:** See definitions for this policy at [IHSC Glossary](#)

Emergent Condition – An emergent condition is a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain) such that the absence of immediate medical attention could reasonably be expected to result in: (i) placing the health of the individual in serious jeopardy; (ii) serious impairment to bodily functions; or (iii) serious dysfunction of any bodily organ or part. ([US legal.com definition](#))

Urgent Condition – An urgent condition is a medical condition requiring immediate attention that health care staff at the facility can provide. For example, a laceration requiring sutures, or asthma attack requiring nebulizer treatment. (IHSC Operational Definition)

8. **APPLICABLE STANDARDS:**

8-1. **Performance-Based National Detention Standards (PBNDS):**

PBNDS 2011, Section 4.3 Medical Care, subsection 14. Comprehensive Medical Intake Screening.

8-2. **Family Residential Standards:** 4.3 Medical Care.

8-3. **American Correctional Association (ACA):**

Performance-Based Standards for Adult Local Detention Facilities, 4th edition: 4-ALDF-4C-22 Health Screens.

8-4. National Commission on Correctional Health Care (NCCHC):

a. Standards for Health Services in Jails, 2014

(1) J-EI-02: *Receiving Screening*.

(2) J-E-04: *Initial Health Assessment*.

- 9. RECORDKEEPING.** IHSC maintains detainee health records as provided in the Department of Homeland Security (DHS)/U.S. Immigration and Customs Enforcement (ICE) – 013 Alien Medical Records System of Records Notice, 74 Fed. Reg. 57688 (Nov. 9, 2009).

Protection of Detainee Health Records and Sensitive Personally Identifiable Information (PII)

- 9-1.** ICE uses detainee health records and information maintained in the DHS/ICE Alien Medical Records System of Records to provide for the care and safety of detainees. IHSC will limit access to detainee health records and information to those individuals who have a need to know the information for the performance of their official duties and who have appropriate clearances or permissions. IHSC will secure paper records at all times in a locked cabinet or room when not under the direct control of an officer or employee with a need for the paper record in order to perform his or her duties.
- 9-2.** IHSC staff is trained at orientation and annually on the protection of patient health information and Sensitive PII.
- 9-3.** IHSC staff references the Department of Homeland Security *Handbook For Safeguarding Sensitive PII* (Handbook) at: http://intranet.ice.dhs.gov/doclib/sites/oop/pdf/safeguarding_spji.pdf when additional information is needed concerning safeguarding sensitive PII.
- 10. NO PRIVATE RIGHT STATEMENT.** This directive is an internal policy statement of IHSC. It is not intended to, and does not create any rights, privileges, or benefits, substantive or procedural, enforceable against the United States; its departments, agencies, or other entities; its officers or employees; or any other person.