

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

MEDICATION ADMINISTRATION

**IHSC Directive: 03-16
ERO Directive Number: 11750.2
Federal Enterprise Architecture Number: 306-112-002b
Effective Date: March 11, 2021
Annual Review: September 20, 2022**

**By Order of the Assistant Director
Stewart D. Smith, DHSc, FACHE**

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1. **PURPOSE:** The purpose of this directive is to set forth the policies and procedures for the administration of medications to non-citizen detainees.
 2. **APPLICABILITY:** This directive applies to all U.S. Immigration and Customs Enforcement (ICE) Health Service Corps (IHSC) personnel, including but not limited to, U.S. Public Health Service (PHS) officers, civil service employees, and contract personnel. It is applicable to IHSC personnel supporting health care operations in ICE-owned and contracted detention facilities (CDFs), 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 their employees who support IHSC.
 3. **AUTHORITIES AND REFERENCES:**
 - 3-1. *Detention of Aliens for Physical and Mental Examination, 8 U.S.C. § 1222 (1996).*
 - 3-2. *Detention of Aliens for Physical and Mental Examination, 8 C.F.R. § 232 (1996).*
 - 3-3. Title 42, U.S. Code, Section 249 (42 U.S.C. § 249), *Medical Care and Treatment of Quarantined and Detained Persons.*
 - 3-4. Title 42, U.S. Code, Section 252 (42 U.S.C. § 252), *Medical Examination of Aliens.*
 4. **POLICY:** IHSC-designated health care providers prescribe, fill, administer and distribute medication to non-citizen detainees for continuity of health care and to

promote wellness. Health care providers prescribe medications only when clinically indicated, and authorized IHSC personnel administer or deliver the medications in a timely and safe manner.

5. RESPONSIBILITIES:

5-1. The **clinical director** determines prescribing practices for each IHSC clinic.

5-2. **Authorized IHSC personnel** administer or deliver prescribed medications to the patient only on the order of a **designated health care provider**.

5-3. IHSC authorizes the following disciplines to administer medications to non-citizen detainees within the limits set by applicable state law and licensing authorities:

- Physicians
- Dentists
- Pharmacists
- Nurse practitioners (NP) and physician assistants (PA)
- Registered nurses (RN)
- Licensed practical nurses (LPN) and licensed vocational nurses (LVN)
- Certified medical assistants (CMA)

6. PROCEDURES: Detailed procedures related to this directive are found in the IHSC Medication Administration Guide located in the [IHSC policy library](#).

7. HISTORICAL NOTES: This directive and accompanying guide replace IHSC Directive 03-16, *Medication Administration*, dated March 11, 2021. No updates were made to this directive for annual review.

8. DEFINITIONS: See definitions for this policy in the IHSC Glossary located in the [IHSC policy library](#).

9. APPLICABLE STANDARDS:

9-1. Performance-Based National Detention Standards (PBNDS) 2011:

9-1.1 Part 4: Care; 4.3 Medical Care; G. Pharmaceutical Management.

9-1.2 Part 4: Care; 4.3 Medical Care; U. Delivery of Medication.

9-1.3 Part 4: Care; 4.3 Medical Care; AA. Informed Consent and Involuntary Treatment.

9-2. ICE Family Residential Standards:

9-2.1 Medical Care 4.3, V. Expected Practices, 5. Pharmaceutical Management.

9-3. American Correctional Association (ACA):

9-3.1 Performance-Based Standards for Adult Local Detention Facilities, 4th edition.

9-3.1.a 4-ALDF-4C-38

9-3.1.b 4-ALDF-4C-39

9-4. National Commission on Correctional Health Care (NCCHC):

9-4.1 Standards for Health Services in Jails, 2018.

9-4.2 J-C-05, Medication Administration Training (Note: Compliance indicators for NCCHC standard J-C-05 are addressed in IHSC's Medication Administration Guide.)

9-4.3 J-D-02, Medication Services (Note: Compliance indicators for NCCHC standard J-D-02 are addressed in IHSC's Medication Administration Guide.)

10. PRIVACY AND RECORDKEEPING. IHSC creates, receives, stores, retrieves, accesses, retains, and disposes of these records in accordance with DHS/ICE-013 Alien Medical Records System of Records and National Archives and Records Administration approved records retention schedules. Contact the IHSC records liaison for further information or guidance.

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

10.1. Staff must keep all medical records, whether electronic or paper, secure with access limited only to those with a need to know. Staff must lock paper records in a secure cabinet or room when not in use or not otherwise under the control of a person with a need to know.

10-2. IHSC trains staff during orientation and annually on the protection of patient medical information and sensitive PII. Only authorized individuals with a need to know are permitted to access medical records and sensitive PII.

10-3. Staff should reference the Department of Homeland Security Handbook for Safeguarding Sensitive Personally Identifiable Information (March 2012) at: https://insight.ice.dhs.gov/mgt/ooop/Documents/pdf/safeguarding_sp.ii.pdf when additional information is needed concerning safeguarding sensitive PII.

11. NO PRIVATE RIGHT STATEMENT. This directive is an internal directive 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.

12. POINT OF CONTACT: Chief Nurse, Nursing Services Unit.