

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

ICE HEALTH SERVICE CORPS FORMS MANAGEMENT

**IHSC Directive: 12-03
ERO Directive Number: 11846.3
Federal Enterprise Architecture Number: 306-112-002b
Effective Date: September 29, 2020**

By Order of the Assistant Director

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1. **PURPOSE:** The purpose of this Directive is to set forth policy and procedures to ensure efficiency, uniformity, and consistency in all forms management activities. Forms are a critical means to carrying out the mission objectives of U.S. Immigration and Customs Enforcement (ICE) Health Service Corps (IHSC). Forms provide a straightforward method for collecting and transmitting information quickly and efficiently, compiling compact records, and standardizing tasks and procedures. To ensure efficiency, uniformity, and consistency in the use of forms, it is necessary for IHSC to develop a forms management policy, along with standard procedures, to account for all forms management activities, including those that pertain to stand-alone forms and forms included as attachments to directives or handbooks.
2. **APPLICABILITY:** This Directive applies to all 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 its employees supporting IHSC.
3. **AUTHORITIES AND REFERENCES:**
 - 3-1. Information Quality Act, Public Law (Pub. L.) 106-554 (2001).
 - 3-2. Privacy Act of 1974, 5 United States Code (U.S.C.) §552a, as amended.
 - 3-3. Homeland Security Act of 2002, Pub. L. 107-296, 6 U.S.C. Chapter 1.
 - 3-4. The Information Technology Management Reform Act of 1996 (ITMRA) (Clinger-Cohen Act), 40 U.S.C. Subtitle III.
 - 3-5. The Government Paperwork Elimination Act of 1998, 44 U.S.C. §3504 note.

- 3-6. The Rehabilitation Act of 1973, 29 U.S.C. §794(d), as amended (Section 508).
 - 3-7. Paperwork Reduction Act of 1995, 44 U.S.C. §§3501-3520.
 - 3-8. Office of Management and Budget Memorandum (OMB) for Chief Information Officers (CIO) and General Counsels and Solicitors, Ensuring Full Compliance with the Information Collection Provisions of the Paperwork Reduction Act, dated November 14, 2001.
 - 3-9. Department of Homeland Security (DHS) Management Directive (MD) 141-02, Forms Management, February 5, 2013.
 - 3-10. ICE Directive I-30.0 ICE Forms Management, August 8, 2008.
 - 3-11. ICE Forms Management Program, Forms Management Handbook, August, 2008.
 - 3-12. Enforcement and Removal Operations (ERO) Policy Number 11110: ERO Forms Management, Effective June 9, 2010; Federal Enterprise Architecture Number 141-03.
4. **POLICY:** IHSC staff create and revise forms as necessary to comply with changes to law, regulation, policy, or procedure consistent with DHS, ICE, and IHSC requirements.
5. **RESPONSIBILITIES:**
- 5-1. **IHSC Forms Manager.** The Records and Information Management Office chief, or designee, serves as the IHSC forms manager. Under the direction of the Deputy Assistant Director (DAD) of Administration, along with the Chief of the Health Information and Technology Unit, the IHSC forms manager is responsible for coordinating and managing forms and related activities within IHSC. Specifically, the forms manager:
 - 5-1.1 Assists subject matter experts (SMEs) and stakeholders with the creation and revision of IHSC forms.
 - 5-1.2 Provides all stakeholders with an opportunity to comment on proposed new or revised forms.
 - 5-1.3 Coordinates forms development with the Office of Primary Interest (OPI) and/or SME, ICE forms manager, and any other offices external to IHSC, including Office of the Principal Legal Advisor (OPLA), Office of Human Capital (OHC), and Office of Information Governance and Privacy.
 - 5-1.4 Coordinates clearance of new or revised forms prior to their final release through the IHSC DADs, Chief of Staff, and/or the Assistant Director.

5-1.5 Coordinates the distribution and implementation of new or revised forms.

5-1.6 Communicates to staff on forms no longer in use.

5-1.7 Responds to IHSC forms-related questions from IHSC staff and stakeholders.

5-1.8 Ensures that all IHSC forms are accessible, and when necessary, consistent with Section 508 of the Rehabilitation Act of 1973 and compliant with forms content requirements as required after legal proceedings or operational needs.

5-1.9 Ensures that IHSC staff members have access to the forms in electronic format.

5-1.10 Ensures patient related forms are compatible with electronic health record templates, and questions are consistent.

5-1.11 Requires notification from all unit, office, and program chiefs of form content needed for legal proceedings, such as changes to medical documentation, as required by the Franco-Gonzales case.

5-2. Office of Primary Interest (OPI). The OPI is the IHSC unit, office, or program with the most input over the form's content and use, or the unit most affected by a particular form.

5-2.1 Assigns an individual to coordinate form review and update.

5-2.2 Ensures that the form meets IHSC and program specific needs.

5-2.3 Ensures content is current with any new or revised policy.

5-2.4 Reviews forms within their program for currency and relevancy on a continuous basis.

5-2.5 Ensures content is current with any new or revised accreditation standards from the Performance-Based National Detention Standards (PBNDS), National Detention Standards (NDS), American Correction Association (ACA), National Commission on Correctional Health Care (NCCHC), and Family Residential Standards.

6. PROCEDURES:

6-1. Proposing a New or Revised Form

6-1.1 Any IHSC employee may request a new or revised form with the concurrence of their health services administrator (HSA), unit, office, or program chief.

- 6-1.2** The IHSC employee who seeks to create a new or revise an existing form should complete a “Request for Forms Management Services,” form ICE 12-003 Forms Management Services and submit a draft version of the proposed new or revised form to the IHSC forms manager. The form originator also provides information related to the use of the information collected and how the information will be retained.
- 6-1.3** The IHSC forms manager ensures the proposed new or revised form is consistent with the requirements of the ERO Forms Management Directive, Effective June 9, 2010, ICE Forms Management Directive 1-30.0, and ICE Forms Management Handbook, August 2008.
- 6-1.4** The submitter of the new or revised form presents the form to the IHSC forms manager for initial review and discussion.
- 6-1.5** The IHSC forms manager reviews the form to ensure no other form is similar, the need is not met by another form, or to suggest format, design, or layout improvements.
- 6-1.6** The form submitter must provide supporting documentation (policy or operations memoranda) to support the creation of the form.
- 6-1.7** IHSC can conduct a pilot to test its use when creating or editing forms. This allows IHSC staff to ensure the form content is complete prior to routing to ICE Forms for official form creation..
- 6-1.8** IHSC forms manager notifies ICE Forms Management when IHSC pilots a form.
- 6-1.9** IHSC staff may create forms by using any document processing or creation programs, such as MS Word or Excel.
- 6-2. Coordination, Review, and Routing of Proposed New or Revised Form.**
- 6-2.1** The IHSC forms manager reviews the form with the submitting party, provides feedback, and coordinates incoming form requests to the Office of Primary Interest (OPI) and/or subject matter expert for review and discussion for approval, rejection, or cancellation. From creation to publication, the IHSC forms manager completes a careful review.
- 6-2.2** The forms manager forwards the draft form to the OPI and/or SME for review and discussion with the form originator.
- 6-2.3** The OPI/SME carefully reviews the revised or new form. The OPI/SME determines when the form is ready for review by additional stakeholders.
- 6-2.4** Upon receipt of all feedback, the IHSC forms manager routes recommended edits, if any, to the submitter for consideration.

6-2.5 The IHSC forms manager routes the form for further review as required. See 6-3.2.

6-3. Processing a New or Revised Form

6-3.1 IHSC forms manager or ICE Forms Management routes the form for the following reviews as appropriate:

6-3.1.a Office of Management and Budget (OMB) for Paperwork Reduction Act (PRA) applicability.

6-3.1.b The Office of Human Capital (OHC) Office of Employee and Labor Relations would review the form if it is determined that completion of or compliance with the form would alter the employee's work conditions.

6-3.2 IHSC forms manager, or ICE Forms Management, routes the form concurrently for the following reviews, as appropriate:

6-3.2.a Assistant Director for Custody Management

6-3.2.b Assistant Director for Field Operations

6-3.2.c Information Governance and Privacy for Privacy and Records review

6-3.2.d Office of Human Capital for employee related documents

6-3.2.e Office of the Principal Legal Advisor (OPLA)

6-3.3 Upon completion of these reviews, the form is returned to the IHSC forms manager with comments or approval.

6-3.4 The IHSC forms manager and OPI/SME address comments with appropriate input and modification, as required, then route to ICE Forms Management.

6-4. Periodic Forms Review. IHSC reviews forms as follows:

6-4.1 Designated personnel in each OPI monitors their forms for currency and accuracy and conduct reviews of their forms at least every five years.

6-4.2 The OPI initiates a form review by completing ICE Form 12-003 to identify if there is a reason to cancel or revise the form. The IHSC forms manager monitors the forms review process to ensure timely review of forms.

6-4.3 In accordance with the Paperwork Reduction Act, OMB establishes the schedule to review public forms, usually on a three-year cycle. OMB Coordinates this process through ICE Forms Management. Per ICE Forms Management, all IHSC forms for internal and clinical use are exempt from the Paperwork Reduction Act.

6-5. Electronic Forms. The IHSC forms manager coordinates with other IHSC units to ensure that IHSC staff remove all cancelled forms from the eHR and other forms locations (e.g., SharePoint, Headquarters shared drive) and upload new forms in a timely manner. The IHSC forms manager notifies IHSC staff of new forms, revisions, and cancellations, and provides instructions for disposal of previous form versions.

6-5.1 Unit chiefs, office chiefs, program leads, health services administrators, assistant health services administrators, or a designated staff member removes all outdated or cancelled forms from local facility electronic folders and upload new forms.

6-5.2 Unit chiefs, office chiefs, program leads, health services administrators, assistant health services administrators, or a designated staff member sends a follow-up email to all local IHSC staff requesting that they remove outdated versions of the form from their personal folders and/or shred hard copies.

6-6. Sharing Forms outside of IHSC

6-6.1 IHSC forms are for internal use only and are not provided for the use of the public.

6-6.2 ICE staff may not share IHSC forms with facilities or organizations outside of IHSC without the written approval of the ICE Forms Management Officer. Any intergovernmental service agreement (IGSA) facility must write to the ICE Forms Management Officer requesting permission to use IHSC forms.

6-7. Form Cancellation. The OPI unit, office, or program chief must notify the IHSC forms manager in writing if they determine that an existing form is no longer necessary.

6-7.1 Upon concurrence from the IHSC Forms Committee, the IHSC forms manager submits ICE Form 12-003 requesting that IHSC cancel the form.

6-7.2 Upon approval by the AD, the IHSC forms manager coordinates cancellation with other IHSC Units and stakeholders, as necessary, and routes the cancellation request to the ICE forms manager for official cancellation.

6-7.3 When a form is officially cancelled and removed from circulation, the IHSC forms manager notifies the OPI that the action is complete.

6-7.4 The IHSC forms manager advises IHSC employees and stakeholders of form cancellation.

7. **HISTORICAL NOTES:** This directive replaces IHSC Directive 12-03, *IHSC Forms Management*, dated 4 March 2016 with the following changes:
 - 7-1. Updated to indicate process changes.
 - 7-2. Updated Authorities and References.
8. **DEFINITIONS:** See definitions in the IHSC Glossary.
9. **APPLICABLE STANDARDS:** None
10. **RECORDKEEPING:** The IHSC forms manager maintains a record of forms inventory and sample copy of each form currently in use, as well as historical documents related to forms no longer in use. These records may be paper or electronically maintained.
11. **NO PRIVATE RIGHTS STATEMENT:** This policy 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.
12. **POINT OF CONTACT:** Chief, Records and Information Management Office.