

OM 16-018

Effective Date: 24 Mar 2016

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

TO: IHSC Public Health Service (PHS) Commissioned Corps Officers, Civilian Federal Employees and Contract Personnel

SUBJECT: Medical Case Management Unit Site Visits

1. **PURPOSE:** The purpose of this Operations Memorandum (OM) is to set forth the policies and procedures for the Medical Case Management Unit (MCMU) related to conducting site visits to facilities that house or may house ICE detainees under an Inter-Governmental Service Agreement (IGSA) or contract, also known as a contract detention facility (CDF).
2. **APPLICABILITY:** This OM applies to all Immigration and Customs Enforcement (ICE) Health Service Corps (IHSC) federal and non-federal staff working on IHSC Medical Case Management activities.
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. **GUIDANCE:** The IHSC MCMU conducts a variety of site visits to detention facilities that house ICE detainees where IHSC does not provide direct patient care. These facilities include dedicated IGSA, CDFs, and county jails. Field Medical Coordinators (FMCs) will conduct site visits for a variety of reasons.

4-1. Site Visits - Types

- a. To conduct ICE National Detention Standards (NDS)/Performance Based National Detention Standards (PBNDS) compliance reviews and to evaluate quality of care delivery to detainees in the custody of ICE.
- b. Follow-up visits related to corrective action plans based on previous deficiencies.
- c. To conduct an investigation regarding a detainee complaint related to health services.
- d. To conduct pre-occupancy inspections related to NDS/PBNDS compliance and other issues
- e. Ad hoc visits to facilities as directed by IHSC Leadership.

4-2. Frequency. FMC site visits to (> 72 hour) non-IHSC staffed facilities with an average daily population (ADP) of 11 detainees or more will be conducted at least every six months. FMCs will conduct site visits to those non-IHSC facilities with ADP of 10 or less at least annually. FMC site visits may occur more frequently as directed by IHSC Leadership.

4-3. Forms

- a. Forms utilized to complete site visits is dependent on the type of site visit being conducted. Additional forms may be required for specialized site visits. Forms used include but are not limited to the following:
 - (1) Medical Chart Review Template Excel Spread Sheet
 - (2) Quality of medical care audit tools
 - (3) AA ICE 041 IHSC Final Report of Findings
 - (4) Focus Review Summary Report Template
 - (5) Community Facility Survey Tool
 - (6) Detention Facility Survey Tool
 - (7) Facility Chronic Care List
 - (8) OPR ODO Follow-Up

(9) OPR ODO Form Addendum

(10) G324 A ICE Detention Standards Review Worksheet

4-4. Report of Findings (AA ICE 041 IHSC). FMCs provide a verbal report of the findings to the facility medical staff leadership, ICE Detention Service Manager (if applicable), and ICE Associate Field Office Director (AFOD) or designee. Formal written reports are provided to ICE once approved for dissemination by the Regional Field Medical Coordinator, the Chief of MCMU and/or the IHSC Medical Director or his/her designee. ICE shall disseminate the reports to the detention facility at the discretion of local ICE ERO leadership.

5. PROCEDURES: The procedures related to this directive are as found in the Medical Case Management Unit Program Guide, Section 6: *MCM Unit Site Visits*

6. HISTORICAL NOTES: This OM is new and does not replace a previous directive.

7. DEFINITIONS:

Field Medical Coordinator (FMC) – FMCs operate within the Medical Case Management Unit and are co-located with the Field Office Directors (FODs). The FMC identifies and monitors detainees with significant medical conditions, performs case monitoring on detainees who are hospitalized, and assists with alternate placement of detainees in IGSA facilities. He or she gathers information and documents for medical reviews and collaborates with appropriate health officials to ensure continuity of care upon removal for those detainees with significant health conditions. (IHSC Operational Definition)

Intergovernmental Service Agreement Facility (IGSA) – An IGSA facility is a state or local government facility used by ICE Enforcement and Removal Operations (ERO) through an intergovernmental service agreement. (PBNDS 2011 Glossary)

8. APPLICABLE STANDARDS:

8-1. Performance Based National Detention Standards (PBNDS): 4.3: Medical Care, V. Expected Practices, BB. Administration of the Medical Department, Sub-section 2: *Health Care Internal Review and Quality Assurance*

8-2. American Correctional Association (ACA):

- a. Performance-Based Standards for Adult Local Detention Facilities, 4th edition; 4-ALDF-4D-24: *Health Care Internal Review and Quality Assurance*

b. Standards for Adult Correctional Institutions, 4th edition; 4-4410:
Internal Review and Quality Assurance

8-3. National Commission on Correctional Health Care (NCCHC):
Standards for Health Services in Jails, 2014; J-A-06: *Continuous
Quality Improvement Program*