3.1.15 Access to Contraceptive and Family Planning Services

(a) Policy

(1) California Correctional Health Care Services (CCHCS) shall provide female patients who may become pregnant, their choice of birth control methods and emergency contraception, approved by the United States Food and Drug Administration, unless medically contraindicated. CCHCS shall also provide nonprescription birth control methods, without the requirement of seeing a licensed health care provider.

(2) CCHCS licensed health care providers trained on reproductive health and family planning services, based on their residency and board certification, shall provide nondirective, unbiased, and non-coercive prescription contraceptive services and contraceptive counseling.

(b) Purpose

To ensure female patients who may become pregnant have access to family planning services, contraceptive counseling, and the birth control method of their choice.

(c) Responsibility

The Chief Executive Officer, or designee, is responsible for the implementation, monitoring, and evaluation of this policy.

(d) Procedure

(1) Intake Screening (Incoming patients)

(A) Upon arrival, the Receiving and Release (R&R) Registered Nurse (RN) or designee shall review the Electronic Health Record System (EHRS) to determine the Earliest Possible Release Date (EPRD).

(B) The R&R RN or designee shall provide information to all incoming patients regarding availability of family planning services, including contraceptive counseling services.

1. Patients being released within 60-180 days shall be offered family planning services in R&R.
   a. If the patient requests family planning services, the R&R nurse shall order an appointment in EHRS for the Primary Care Physician (PCP).
   b. If the patient declines family planning services, the R&R nurse shall ensure the patient signs a CDCR Form 7225 Refusal of Examination and/or Treatment, documenting family planning services were offered and declined, in accordance with Health Care Department Operations Manual (HCDOM) Chapter 3, Article 1.5 Scheduling and Access to Care. Completed CDCR 7225 Refusal of Examination and/or Treatment forms shall be forwarded to the Health Information Management Department for scanning into patients chart.
2. Patients not paroling within 60-180 days shall be instructed to submit a CDCR 7362 Health Care Services Request Form if they would like family planning services, including contraception counseling for the contraceptive method of their choice.

(C) The R&R RN or designee shall ensure the patient signs the designated R&R log (Attachment A) acknowledging notification of family planning services information. The R&R RN or designee shall forward the signed log to Nursing Administration for tracking.

(D) The R&R RN or designee shall document in the comment section of the Initial Health Screening Powerform in EHRS that they have provided information on California Penal Code Section 3409 and the Women's Health Initiative (WHI). For pre-release patients, the R&R RN shall also document if the patient refused services or an appointment for PCP follow-up was ordered.

(2) Pre-Release Screening (General Population Inmates)

(A) On a monthly basis, the Classification and Parole Representative or designee shall provide the Primary Care Nurse Care Managers with a list of inmates paroling within 180 days. This process will ensure all inmates who meet the parole date criteria are reviewed and evaluate by the nursing Care Team for eligibility for family planning services.

(B) A pre-release nursing appointment shall be scheduled for patients who are capable of becoming pregnant, at least 60 days prior to their EPRD, but not sooner than 180 days prior to their EPRD or immediately upon learning of their parole should the parole date be made known outside of the above time frame.

(C) If the patient declines family planning services, nursing staff shall ensure the patient signs a CDCR 7225 Refusal of Examination and/or Treatment documenting family planning services were offered and declined, in

accordance with (HCDOM) Chapter 3, Article 1.5 Scheduling and Access to Care. . Completed CDCR 7225 Refusal of Examination and/or Treatment shall be forwarded to the Health Information Management Department for scanning into patients chart.

(D) If the patient would like family planning services, the designated nursing staff shall schedule an appointment in EHRS for the PCP or Gyn as indicated depending on type of contraception requested within 60 – 180 days.

(E) All pre-release family planning services Nursing Care Team visits shall be documented in EHRS on a Progress Note titled "WHI - Family Planning Services." Documentation shall include whether the patient declined or accepted family planning services

(3) Education

(A) The R&R nurse or designee shall ensure patients are advised they may request family planning counseling and services at any time during their incarceration by submitting a CDCR 7362 Health Care Services Request Form.

(B) California Penal Code, Part 3, Title 2, Imprisonment of Female Prisoners in State Institutions, Chapter 3, Section 3409 (Attachment B) is displayed in the following areas within the California Institution for Women (CIW):

1. R&R
2. Triage and Treatment Area
3. Clinics
4. Correctional Treatment Center (Mental Health Crisis Beds/Psychiatric Inpatient Program)
5. Housing Areas
6. Culinary
7. Inmate Advisory Council (IAC) office

(C) Women's Health Care classes and family planning services are offered to all inmates at CIW through the Substance Use Disorder Treatment program for the General Population and by the care team RNs. The classes include "Ladies 101", "Sexually Transmitted Infections", "Hepatitis C", "Self-Breast Exams", and "Family Planning."

1. Patients interested in classes may sign up for any of the Women's Health Care Classes in their assigned housing units. The IAC members shall distribute and collect sign-up sheets on a bi-monthly basis.
2. On a bi-monthly basis, the WHI Champions or designee shall collect the signup sheets in the IAC office and have inmate scheduled for the classes as requested.
3. During each class, time shall be allotted to answer any questions regarding the women's healthcare services offered. Patients who request family planning services at this time shall be directed to their primary care team for further evaluation.
4. At each class, patients shall be advised they shall be scheduled for family planning counseling and services within 60-180 days of paroling if they are capable of becoming pregnant.
5. At each class, patients shall be advised to consider family planning needs prior to family visits and, if necessary, submit a CDCR 7362 Health Care Services Request Form requesting family planning services.
6. Each patient shall receive a certificate after completion of the five session classes.
7. Class instructors shall document on a Progress Note in EHRS, titled "WHI Education", documenting the five classes have been completed and the date of completion. Effective communication shall be documented per policy.

Attachments

- Attachment A – R & R Log
- Attachment B – California Penal Code, Part 3, Title 2, Chapter 3, Section 3402 - 3409
- Attachment C – CIW Work Flow

References

- California Penal Code, Part 3, Title 2, Chapter 3, Section 3409

Revision History

Effective: 07/2017

Approved/Disapproved Date: 2/25/2020

FRANCES KELLY
Chief Nursing Executive (A)
California Institution for Women

Approved/Disapproved Date: 2/24/20

KENNETH MAXWELL
Chief Medical Executive
California Institution for Women

Approved/Disapproved Date: 2/26/2020

JAMES ELLIOT
Chief Executive Officer
California Institution for Women

Approved/Disapproved Date: 2/28/2020

RICHARD MONTES
Warden (A)
California Institution for Women

ATTACHMENT A - R&R LOG

California Institution for Women
Chino Corona Road, Chino , CA

DEPARTMENT OF RECEIVING AND RELEASE

This is to acknowledge receipt of information regarding CA Penal Code. Part 3

Title 2. Imprisonment of Female Prisoners in State Institutions:

Chapter 3, Section 3402, 3403, 3405, 3406 , 3407 and 3409 :
Ladies 101, Self Breast Exam, Family Planning, Sexually Transmitted Infections and Hepatits C

→ If you are within 60-180 days of your scheduled release date, you may be scheduled for Family Planning Services.
→ If you would like education related to Women's Health, please sign up for classes in your housing unit.

			I/P SIGNATURE	To be completed by staff ONLY	Meet Criteria and and scheduled accordingly
DATE	NAME	CDCR#	Acknowledged receipt of the Women's Health Initiative information.	EPRD	Y / N
1					
2					
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Submit original copy to PHN/ICN : _____ Copy forwarded to OB CM/OT :_____

ATTACHMENT B

STATE OF CALIFORNIA
AUTHENTICATED
ELECTRONIC LEGAL MATERIAL

State of California

PENAL CODE

Section 3409

3409. (a) Any incarcerated person in state prison who menstruates shall, upon request, have access to, and be allowed to use, materials necessary for personal hygiene with regard to their menstrual cycle and reproductive system. Any incarcerated person in state prison who is capable of becoming pregnant shall, upon request, have access to, and be allowed to obtain, contraceptive counseling and their choice of birth control methods, subject to the provisions of subdivision (b), unless medically contraindicated.

(b) (1) Except as provided in paragraph (2), all birth control methods and emergency contraception approved by the United States Food and Drug Administration (FDA) shall be made available to incarcerated persons who are capable of becoming pregnant, with the exception of sterilizing procedures prohibited by Section 3440.

(2) The California Correctional Health Care Services shall establish a formulary that consists of all FDA-approved birth control methods and that shall be available to persons specified in subdivision (a). If a birth control method has more than one FDA-approved therapeutic equivalent, only one version of that method shall be required to be made available, unless another version is specifically indicated by a prescribing provider and approved by the chief medical physician at the facility. Persons shall have access to nonprescription birth control methods without the requirement to see a licensed health care provider.

(c) (1) Any contraceptive service that requires a prescription, or any contraceptive counseling, provided to incarcerated persons who are capable of becoming pregnant, shall be furnished by a licensed health care provider who has been provided with training in reproductive health care and shall be nondirective, unbiased, and noncoercive. These services shall be furnished by the facility or by any other agency that contracts with the facility. Except as provided in paragraph (2), health care providers furnishing contraceptive services shall receive training in the following areas:

(A) The requirements of this section.

(B) Providing nondirective, unbiased, and noncoercive contraceptive counseling and services.

(2) Providers who attend an orientation program for the Family Planning, Access, Care, and Treatment Program shall be deemed to have met the training requirements described in paragraph (1).

(d) Any incarcerated person who is capable of becoming pregnant shall be furnished by the facility with information and education regarding the availability of family planning services and their right to receive nondirective, unbiased, and noncoercive contraceptive counseling and services. Each facility shall post this information in

conspicuous places to which all incarcerated persons who are capable of becoming pregnant have access.

(e) Contraceptive counseling and family planning services shall be offered and made available to all incarcerated persons who are capable of becoming pregnant at least 60 days, but not longer than 180 days, prior to a scheduled release date.

(f) This section shall not be construed to limit an incarcerated person's access to any method of contraception that is prescribed or recommended for any medically indicated reason.

(Amended by Stats. 2017, Ch. 561, Sec. 191. (AB 1516) Effective January 1, 2018.)

ATTACHMENT C - Work Flow

California Institution for Women **HEALTH CARE SERVICES**

LOP Title:	Revision Date:
3.1.15 Access to Contraceptive and Family Planning Servies	February 2020

Inmate Patients in General Population