

Sample Guideline: Medical Clearance

This clinical guideline is intended to be used as a template to help clinicians and administrators create their own policy on constipation. This sample guideline must be modified to make it applicable to each unique correctional facility. This guideline is not intended to apply to all patients. Practitioners should use their clinical judgement for individual patients.

Introduction: Some people arrested by Peace Officers have injuries or medical issues that should be evaluated and treated before the person is booked into a jail. However, most arresting officers are not medically trained in how to make the decision of who needs a medical clearance prior to incarceration. This guideline outlines the essential aspects of who should have a medical clearance prior to incarceration.

Definition:

Medical clearance: A medical clearance is a statement from a licensed medical practitioner that a particular person has no medical issues or problems that would preclude them from being incarcerated. It is usually obtained after arrest and before booking, but can be sought at any stage of incarceration.

Why get a medical clearance?

There are three reasons for obtaining a medical clearance before taking a person to jail. First, taking an arrested person with urgent medical needs directly to jail delays necessary medical care and can lead to bad outcomes. Second, it is more efficient to get urgent medical care before booking, and this saves resources and reduces overall medical costs. Third, obtaining medical care before booking markedly decreases legal liability should a bad outcome occur. Obtaining a medical clearance before booking shows that the arresting officer is not being deliberately indifferent to a potentially serious medical need.

Which arrestees should be taken for a medical clearance before incarceration?

Peace officers should consider obtaining a medical clearance before taking an arrestee to jail in the following circumstances:

Trauma. Medical clearance should be considered when an arrestee has potential or obvious significant traumatic injuries:

- Obvious injuries needing medical attention, such as broken bones or uncontrolled bleeding.
- If the arrestee was involved in a motor vehicle accident in which another person died.
- Injuries from an altercation.

- If the arrestee has been tasered, bean bagged, pepper-sprayed or shot.

Intoxication. Medical clearance should be considered when an arrestee is intoxicated from alcohol, opioids, or any other substance and has one or more of the following:

- Unable to walk unaided
- Unable to speak intelligibly
- Incontinent (has peed or had a BM on themselves)
- Confused as to what is happening
- Violent
- (Some jurisdictions require medical clearance for specific blood alcohol readings, such as over 300 mg/dl)

Serious medical complaints. Medical clearance should be considered for arrestees who complain of or show signs of potentially serious medical problems, such as:

- Seizures
- Difficulty breathing
- Chest pain
- Abdominal pain
- Confusion
- Fever
- Evidence of lice, scabies, serious cough or any potentially communicable diseases

Medical History. Medical clearance should be considered for arrestees with serious medical illnesses undergoing current treatment, such as:

- Cancer currently being treated with chemotherapy or radiation
- Kidney failure requiring dialysis
- Elderly and infirm

Mental Illness. Medical clearance should be considered for arrestees with signs of a serious mental illness that would impair ability to complete the booking process:

- Suicidal
- Psychotic
- Manic
- Delusional
- Self-neglect
- Self-harm (such as “cutters”)

If there is any question about whether a particular arrestee should be medically cleared or not, the arresting officer is encouraged to call the jail practitioner, the local emergency department or the local EMS service for assistance.