



VOLUME 4: MEDICAL SERVICES	Effective Date: 02/2015
CHAPTER 32	Revision Date: 11/2016
4.32 DURABLE MEDICAL EQUIPMENT AND MEDICAL SUPPLY POLICY	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

I. POLICY

The California Correctional Health Care Services shall provide Durable Medical Equipment (DME) and medical supplies to California Department of Corrections and Rehabilitation (CDCR) patients as medically necessary to ensure the patients have equal access to prison services, programs, or activities. Unless the prescribed DME has been reimbursed by other entities, CDCR patients who are not indigent shall pay for prescribed DME as described in the accompanying procedure (Volume 4, Chapter 32.1). Under no circumstances shall any patient be denied medically necessary DME or DME provided to ensure equal access to prison services, programs, or activities, due to an inability to pay. All patients shall be held responsible for damage to DME while in their possession unless the damage is caused by another inmate or employee action.

Medically necessary implanted medical devices and dental prosthetic appliances are excluded from this policy.

II. PURPOSE

The purpose of the DME and medical supply policy is to ensure the following:

- Patient DME needs are properly addressed.
- Institution safety and security is maintained by working with and advising custody staff regarding the distribution and maintenance of DME.
- Efficient use of resources.
- Standardized processes and prescribing practices.
- Compliance with appropriate constitutional standards of care.

III. DEFINITIONS

Durable Medical Equipment: Equipment prescribed by a licensed provider to meet medical equipment needs of the patient that:

- Can withstand repeated use.
- Is used to serve a medical purpose.
- Is not normally useful to an individual in the absence of an illness, injury, functional impairment, or congenital anomaly.
- Is appropriate for use in or out of the institutional housing.

Medical Necessity: Health care services that are determined by the licensed provider to be reasonable and necessary to protect life, prevent significant illness or disability, or alleviate severe pain, and are supported by health outcome data as being effective medical care.

Medical Supplies: Supplies prescribed by a licensed provider to meet medical supply needs of the patient that meet the following criteria:

- Cannot withstand repeated use.
- Are usually disposable in nature.

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- Are used to serve a medical purpose.
- Are not useful to an individual in the absence of an illness, injury, functional impairment, or congenital anomaly.
- Are intended for use by the patient in an outpatient setting.

Prosthetic and Orthotic Appliance: Those appliances prescribed by a Primary Care Provider or Podiatrist for the restoration of function or replacement of body parts. A replacement, corrective, or supportive device worn on or in the body in order to artificially replace a missing portion of the body; prevent or correct a physical deformity or malfunction; or support a weak or deformed portion of the body.

IV. RESPONSIBILITIES

- A. The Chief Executive Officer and the Warden at each institution are responsible for the implementation and monitoring of this policy.
- B. The Deputy Director, Medical Services is responsible for the implementation and monitoring of this policy at Headquarters.
- C. The Headquarters DME Committee provides Headquarters level oversight and management of functions necessary for the implementation of this policy.
- D. The Institution DME Committee is responsible for the local operation of this policy and procedure including authorization, review, and procurement of DME.

V. REFERENCES

- Code of Federal Regulations, Title 45, Parts 160 and 164, Health Insurance Portability and Accountability Act
- Code of Federal Regulations, Title 42, Section 1395 x(n), Durable Medical Equipment
- California Code of Regulations, Title 15, Subchapter 2, Article 6, Section 3162, Legal Forms and Duplicating Services
- California Code of Regulations, Title 15, Subchapter 4, Article 8, Section 3350, Provision of Medical Care and Definitions
- California Code of Regulations, Title 15, Subchapter 4, Article 8, Section 3358, Artificial Appliances
- California Code of Regulations, Title 22, Section 51160, Durable Medical Equipment
- California Code of Regulations, Title 22, Section 51161, Prosthetic and Orthotic Appliances
- California Code of Regulations, Title 22, Section 51162, Eyeglasses, Prosthetic Eyes, and Other Eye Appliances
- California Evidence Code, Section 1157
- California Civil Code, Section 56, et seq., Confidentiality of Medical Information Act
- Armstrong Remedial Plan, *Armstrong vs. Brown*, U.S. District Court of Northern California, Case No. C94-2307 CW, Amended January 3, 2001
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 5, Article 41, Section 54010.5, Paper, Envelopes, and Stamps for Indigent Inmates
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 5, Article 43, Section 54030.13.1, Transfers

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- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 5, Article 43, Section 54030.6, Liability
- California Department of Corrections and Rehabilitation, Department Operations Manual, Chapter 5, Article 43, Inmate Property