



VOLUME 9: PHARMACY SERVICES	Effective Date: 10/2008
CHAPTER 15	Revision Date: 04/2016
9.15 HANDLING OF CONFISCATED MEDICATIONS PROCEDURE	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

I. PROCEDURE OVERVIEW

Medication found in inmate possession which does not meet the criteria below are not authorized for possession by the inmate. All confiscated medications shall be returned to health care staff unless there is a possibility of a disciplinary charge. The confiscated medications shall be returned to pharmacy for identification and disposition.

II. PURPOSE

To provide guidance to custody and health care staff regarding confiscation of medications.

III. PROCEDURE

A. The following medications shall be confiscated:

1. Prescription medications found outside of an approved container (e.g., unlabeled container). Approved medication containers shall bear a California Correctional Health Care Services pharmacy label which lists:
 - Patient name.
 - California Department of Corrections and Rehabilitation number.
 - Name of the medication as well as strength, dosing instructions, and quantity supplied.
 - Stop date of the medication.
2. Medication where the prescription is past the “stop date” on the label.
3. A mixture of medications in any labeled or unlabeled container.
4. Prescription medications which are not prescribed to the patient.
5. Unauthorized medications from an outside source.
6. Over-the-counter medications which are not in consumer-ready packaging or otherwise properly labeled by pharmacy.
7. Any medications which are expired and/or adulterated.
8. Medications not used as prescribed, for example:
 - Medications passed to other patients or inmates.
 - Alterations of an inhaler or other medication container.
 - Hoarded.
 - Crushed or altered.

B. Chain of Custody for Confiscated Prescription Medications

1. When medications are confiscated, except as described in Section III(B)(1)(a) below, custody staff shall place the medication in an unsealed envelope containing cell search receipts and label “confiscated medication” and deliver to nursing staff. Nursing staff shall examine the contents of the envelope and seal under custody observation. Nursing staff shall notify the prescriber of the incident when appropriate and send all sealed envelopes to pharmacy for disposition.

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- a. When there is a possibility of a disciplinary charge (including referrals for criminal prosecution) custody staff shall maintain possession of medications to preserve the chain of evidence only allowing for examination of the substance by medical staff to the degree necessary for positive identification.
- b. Pharmacists shall assist in the identification of intact medications for the purposes of internal investigations upon request.
2. Follow-up physician orders shall be documented in the patient's health record.
3. The on-duty nursing supervisor shall be contacted for further direction if there are any immediate concerns regarding confiscated prescription medications.
4. Nursing staff may return confiscated medications to the patient if all of the following criteria are met:
 - a. The medication was found in an approved container as outlined in Section III(A)(1).
 - b. The contents of the container were verified by a pharmacist to be accurate according to the label on the container.
 - c. There is an active order in the patient's health record for the medication.
 - d. There is no evidence of hoarding.

C. Disposition of Medications

1. Confiscated medications shall be disposed of in compliance with the Inmate Medical Services Policies and Procedures, Volume 9, Chapter 16, Expiration Dates, Beyond-Use Dates and Disposition of Outdated, Contaminated, Mislabeled, or Overstocked and Recalled Medications.
2. Illegal drugs shall not be taken to medical or pharmacy for disposal but shall remain within custody control. The internal investigation authority shall direct disposition of illegal drugs pursuant to the Department Operations Manual, Sections 52010.24, 52010.25, and 52010.26.

IV. REFERENCES

- California Department of Corrections and Rehabilitation, Department Operations Manual, Section 52010.10 - Controlled Medication, Section 52010.24 - Destruction of Controlled Substances, Section 52010.25 - Obtaining a Court Order for Destruction, and Section 52010.26 - Controlled Substance Destruction Schedule
- California Correctional Health Care Services, Inmate Medical Services Policies and Procedures, Volume 9, Chapter 16, Expiration Dates, Beyond-Use Dates and Disposition of Outdated, Contaminated, Mislabeled, or Overstocked and Recalled Medications