Definitions

1. **Agreement** means contract: A binding agreement to provide services.

2. **Ambulance Service** means a ground, air or sea transport service for CDCR patient-inmates to be transferred for medical related treatment or transport.

3. **California Code of Regulations (CCR), Title 15** means the regulations that authorize the Director of the California Department of Corrections and Rehabilitation to contract for the provision of inmate health care.

4. **California Department of Corrections and Rehabilitation (CDCR)** means the State of California Department of Corrections and Rehabilitation, authorized by Penal Code, Section 5000 et seq., and the CCR, Title 15, to maintain the custody and care of California's institutionalized public offenders.

5. **California Confidentiality of Medical Information Act (CMIA)** means the act that requires authorization from a patient to disclose medical information and defines terms in reference to the release of medical information. The CMIA is fully defined in Civil Code 56-56.16.

6. **California Correctional Health Care Services (CCHCS)** means the entity responsible for medical care treatment, performance and decisions within CDCR's institutions for patient-inmates.

7. **California Victim Compensation and Government Claims Board** means the State Board whose function is to resolve all claims for money or damages filed against State agencies under Government Code Section 900 et seq., before a lawsuit against a State agency can be pursued.

8. **CDCR Medical Standards of Care** means the official CDCR health care policy document used by the CDCR Health Care Managers and Chief Medical Officers (HCM/CMO) to distinguish the parameters of the delivery of health care services and treatment to the State of California inmates.

9. **Chief Executive Officer (CEO)/Health Care Manager (HCM)/Chief Medical Officer (CMO)** means the designee responsible for the day-to-day supervision of field health care operations, reporting directly to the CCHCS Regional Administrator for their respective institutions. A CEO/HCM/CMO is part of the institution's executive management team and participate in institution executive staff meetings. A CEO/HCM/CMO is given full authority to grant prior authorization for the delivery of health care services rendered to CDCR patient-inmates.

10. **Chief Medical Officer (CMO)** refer to item 8.

11. **Community Health Facility** means any facility, place or building which is organized, maintained and operated for the diagnosis, care, prevention and treatment of human illness, physical or mental, including convalescence and rehabilitation and including care during and after pregnancy, or for any one or more of these purposes, for one or more persons, and to which the persons are admitted for a 24-hour stay or longer per Health and Safety Code, Division 2, Chapter 2, Article 1, Section 1250.

12. **Contract** means Agreement: a binding agreement to provide services.

13. **Contractor** means Provider: the physician and/or attending physician under locum tenens providing the medical specialty services under this Agreement, or the hospital, hospital's allied professional health care staff or hospital's physician and ancillary service contractors.

14. **Correctional Treatment Center** means a health facility with a specified number of beds within a State prison, county jail or California Youth Authority facility designated to provide health care to that portion of the inmate population not requiring general acute care level of services, but who are in need of professionally supervised health care beyond that normally provided in the community on an outpatient basis (CCR, Title 22, Division 5, Chapter 12, Article 1, Section 79516).

15. **Credentialing** means the process used to validate professional licensure, clinical experience, and preparation for specialty practice. Health care professionals must have some form of credentialing in order to be hired and before they are granted specific patient-inmate care privileges.

16. **Day** means calendar day, unless otherwise specified.

17. **Discharge Summary** means a brief recapitulation of significant findings and events of the patient's hospitalization, patient's condition on discharge and the recommendations and arrangements for future care (CCR, Title 22, Division 5, Licensing and Certification of Health Facilities, Home Health Agencies, Clinics, and Referral Agencies, Chapter 1, Article 7, Section 70749).

18. **Emergency Care Services** means the immediate care or treatment necessary to prevent death, severe or permanent disability or to alleviate severe pain, including medically necessary crisis intervention for inmates suffering from situational crisis or acute episodes of mental illness, in accordance with CCR, Title 15.

19. **Experimental or Investigational Treatment** means any treatment, therapy, procedure, drug or drug usage, facility or facility usage, equipment or equipment usage, device or device usage, or supplies which are not recognized as being in accord with generally accepted professional medical standards, or as being safe and effective for use in the treatment of an illness, injury, or condition at issue. Services which require approval by the federal government or any agency thereof, or by any state governmental agency prior to use, and where such approval has not been granted at the time the services were rendered, shall be considered experimental or investigational. Services which themselves are not approved or recognized as being in accord with accepted professional medical standards, but nevertheless are authorized by law or a governmental agency for use in testing, trials, or other studies on human patients, shall be considered experimental or investigational.

20. **HIPAA** the Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191.

21. **HITECH ACT** Subtitle D of the Health Information Technology for Economic and Clinical Health Act (HITECH ACT), enacted as part of the **American Recovery and Reinvestment Act of 2009,** and addresses the privacy and security concerns associated with the electronic transmission of health information.

22. **Fiscal Year** means the accounting period from July 1 through June 30 of the following year.

23. **Health Care Manager (HCM)** refer to item 8.

24. **Health Care Service Provider** means entity providing medical services to CDCR Patient-Inmates through the Preferred Provider Network.

25. **Health Care Review Subcommittee** means the appointed CDCR officials authorized to review and approve health care services which are excluded from the CDCR Medical Standards of Care Policy.

26. **Hospital** means an institution which is licensed under all applicable State and local laws and regulations to provide diagnostic and therapeutic services for the medical diagnosis, treatment and care of injured, disabled or sick persons in need of acute inpatient medical and psychiatric or psychological care.

27. ***In Personam* Jurisdiction** means a court has power over a particular defendant.

28. ***Locum Tenens*** has the same meaning as in Business and Professions Code section 2418.

29. **May** means permitted.

30. **Medically Necessary** means health care services that are determined by the attending physician 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 (CCR, Title 15, Division 3, Chapter 1, Subchapter 4, Article 8, Section 3350(b), Provision of Medical Care and Definitions).

31. **Network** means the management organization providing contracted Health Care Service Providers to perform medical services for CDCR Patient-Inmates.

32. **Non-Essential Services** means a non-emergency/scheduled admission for medical services when the inmate's condition permits adequate time to schedule the necessary diagnostic workup and/or initiation of treatment, in accordance with CCR, Title 15.

33. **Off-Site in the Community** means a general medical location not at a CDCR facility or CDCR satellite location where contracted services are provided (e.g. Hospital, Telemedicine, Surgery Center, Office, etc.).

34. **On-Site at the Institution** means contracted services are performed at a CDCR facility and/or

a designated CDCR satellite location.

35. **Patient Day** means a day in which a patient-inmate occupies an inpatient bed as of the midnight census. If both admission and discharge occur on the same day, the day is counted as one patient day.

36. **Patient-Inmate** means the CDCR incarcerated public offender receiving health care services.

37. **Patient-Inmate Data** means any piece of information, administrative or medical, specific to an incarcerated public offender receiving medical or surgical treatment in a hospital or hospital outpatient surgery center.

38. **Penal Code Section 5054** means the section of law which grants the Secretary of the CDCR the authority and responsibility for the custody and care of California's institutionalized public offenders.

39. **Physician** means a person licensed to practice medicine or osteopathy in the State of California.

40. **Preferred Provider Organization** means organization responsible for maintaining and providing a network of medical providers to perform medical services for CDCR Patient-Inmates.

41. **Prescription Drugs** means all drugs which, under State or federal law, require the written prescription of a doctor, dentist, podiatrist or osteopath or any medicinal substance which is required to bear the legend, "Caution: Federal law prohibits dispensing without a prescription" under the federal Food, Drug and Cosmetic Act.

42. **Prescription Order** means the request by a physician for each separate drug or medication and each authorized refill of such request.

43. **Prior Authorization** means the required advance authorization granted by the CEO/HCM/CMO or her/his designated representative.

44. **Receiver** means person appointed by the United States District Court for the Northern District of California to assume the executive management of the California prison medical system with the authority to exercise all powers vested by law in the Secretary of the CDCR.

45. **Provider** means Contractor: the physician and/or attending physician under locum tenens providing the medical specialty services under this Agreement, or the hospital, hospital's allied professional health care staff or hospital's physician and ancillary service contractors.

46. **Secretary** means Secretary of CDCR.

47. **Shall** means mandatory.

48. **Should** means suggested or recommended.

49. **Skilled Nursing Care** means skilled supervision and management of a complicated or extensive plan of care for a patient-inmate initiated and monitored by a physician in which there is a significantly high probability that complications would arise without the skilled supervision

or implementation of the treatment program by a licensed nurse or therapist.

50. **State** means the State of California.

51. **State Administrative Manual (SAM)** means the manual which provides the policies and procedures and the uniform guidance for governing the fiscal and business management affairs of the State of California.

52. **Subcontractor** means any person or entity that has entered into an agreement with a Contractor, either expressed or implied, for the specific purpose of performing any service under this Agreement.

53. **Surgery Center** means an ambulatory out-patient medical treatment facility where medical surgery services are performed in the community.

54. **Telemedicine** means medical services or consultations conducted through an electronic video process for patient-inmate care.

55. **Total Patient Days** means the total inpatient days from the day of admission to, but not including, the day of discharge.

56. **Transfer Order** means the written document, issued and signed by the patient-inmate's attending physician, which notes the medications, treatment, and diet orders for the CDCR institution and provides instructions to the patient-inmate in order to maintain continuity of care. A transfer order is prepared when a patient-inmate is discharged from the hospital and is returning to a CDCR institution.

57. **Transfer Summary** means the written document which precedes or accompanies an patient-inmate upon a patient-inmate's discharge from a hospital to a skilled nursing or intermediate care facility, Correctional Treatment Center, or to the distinct skilled nursing or intermediate care service unit of the hospital where continuing care will be provided. The transfer summary, signed by the attending physician, includes the following information relative to the patient-inmate's 1) diagnosis 2) hospital course 3) medications 4) treatments 5) dietary requirements 6) rehabilitation potential 7) known allergies 8) treatment plan.

58. **Urgent Care** means a non-emergency admission or occurrence where timely evaluation and treatment is required for medical/psychiatric attention and/or hospitalization, but there is no immediate threat to loss of life or limb.

59. **Utilization Management (UM)** means a strategy designed to ensure that health care expenditures are restricted to those that are needed and appropriate by reviewing patient-inmate medical records through the application of defined criteria and/or expert opinion. It assesses the efficiency of the health care process and the appropriateness of decision making related to the site of care, its frequency and its duration, through prospective, concurrent, and retrospective utilization reviews.