



MEMORANDUM

Date: May 11, 2020

To: Chief Executive Officers
Chief Medical Executives
Chief Nurse Executives
Chief Psychiatrists
Senior Psychiatrist, Supervisors
Chiefs of Mental Health
Executive Directors
Jay Powell

From: JOSEPH BICK, M.D. (signature on file)
Director, Division of Health Care Services
California Department of Corrections and Rehabilitation

Subject: **COVID-19 PATIENT MOVEMENT FOR MENTAL HEALTH TREATMENT**

In an effort to limit the transmission of COVID-19, patient movement has been restricted to that which is clinically essential. The purpose of this memorandum is to provide clarification regarding what COVID-19 related precautions are to take place when patients must be moved between the Department of State Hospitals (DSH) and the California Department of Corrections and Rehabilitations (CDCR) for mental health treatment.

Planned Admission to DSH from CDCR

- CDCR and DSH shall identify patients who are clinically appropriate for admission to DSH from CDCR.
- Prior to DSH admission, CDCR shall conduct both a COVID-19 test and a COVID-19 screening for active COVID-19.
- While awaiting the results of the COVID-19 test, the patient shall be protectively quarantined.
- Patients who are clinically appropriate and have screened and tested negative for COVID-19 shall be transferred to DSH.
- Patients who screen positive for COVID-19 and/or those who have a positive COVID-19 test shall not be moved until such time as they are COVID-19 cleared.

Offender with Mental Health Disorder Process

- Offender with Mental Health Disorder (OMD) commitment was created to provide a mechanism to detain and treat severely mentally ill prisoners who have reached the end of their determinate prison terms and are dangerous to others as a result of a severe mental health disorder. As a condition of parole, DSH admits OMD patients under Penal Code section 2962. These criteria are as follows:
 - The prisoner has a severe mental health disorder.
 - The defendant received a determinate sentence for an enumerated offense or one where prisoner used force or violence or caused serious bodily injury, or the threat thereof.

- The severe mental health disorder was one of the causes of, or was an aggravating factor in, the commission of a crime for which the prisoner was sentenced to prison.
 - Their severe mental health disorder is not in remission and/or cannot be kept in remission without treatment.
 - The prisoner has been in treatment for the severe mental health disorder for 90 days or more within the year prior to the prisoner's parole or release.
 - By reason of the prisoner's severe mental health disorder: the prisoner represents a substantial danger of physical harm to others (the public) if released.
- CDCR headquarters (HQ) shall notify institutional leadership in advance of anticipated OMD releases.
 - Patients who screen OMD positive shall undergo a COVID-19 screen and shall also test for active COVID-19 prior to the date of their release to DSH.
 - The results of this screening shall be communicated from CDCR to DSH.

Discharge from DSH to CDCR

- Prior to discharge, each patient shall undergo COVID-19 screening.
- Patients who screen negative shall be transferred to CDCR.
- HQ shall notify institutional leadership in advance of these transfers.
- Upon return to CDCR, these shall be screened for COVID-19 and shall be quarantined for 14 days during which they shall be monitored for symptoms.

If you have questions or require additional information related to this memorandum, you may contact the Mental Health Policy Unit by email: CDCR.MHPolicyUnit@CDCR.

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