

**State of California
Office of Administrative Law**

In re:
Department of Corrections and
Rehabilitation

Regulatory Action:

Title 15, California Code of Regulations

Adopt sections: 3999.31

NOTICE OF FILING AND PRINTING ONLY

Government Code Section 11343.8

OAL Matter Number: 2023-1020-02

OAL Matter Type: File and Print Only (FP)

This action by the Department of Corrections and Rehabilitation adopts section 3999.31 as a pilot program for the Correctional Clinical Case Management System – Cuesta Camp Pilot Program, which will allow specified inmates to participate in the Conservation Camp Program while housed at the California Men's Colony and assigned to Cuesta Conservation Camp. This filing is exempt from Chapter 3.5 of Part 1 of Division 3 of Title 2 of the Government Code pursuant to Penal Code section 5058.1 and is not subject to review by the Office of Administrative Law. This action is effective on filing with the Secretary of State pursuant to Penal Code section 5058.1 and remains in effect for two years.

OAL filed this regulation with the Secretary of State, and will publish the regulation in the California Code of Regulations.

Date: November 22, 2023



Stephen P. Mehlert
Senior Attorney

For: Kenneth J. Pogue
Director

Original: Jeffrey Macomber, Secretary
Copy: Sarah Pollock

Adopt Section 3999.31 Correctional Clinical Case Management System – Cuesta Camp Pilot Program

State of California

Department of Corrections and Rehabilitation

Memorandum

Date: November 22, 2023

To: Associate Directors, Division of Adult Institutions
Wardens
Regional Health Care Executives
Chief Executive Officers
Classification and Parole Representatives
Institutional Correctional Counselor IIIs
Correctional Case Records Managers

INSTRUCTIONAL MEMORANDUM

Subject: **Correctional Clinical Case Management System – Cuesta Camp Pilot Program**

PURPOSE

The purpose of this memorandum is to announce the implementation of the California Department of Corrections and Rehabilitation (CDCR) Correctional Clinical Case Management System (CCCMS) – Cuesta Camp Pilot Program, which will allow specific CCCMS incarcerated individuals to participate in the Conservation Camp (CC) program while being housed at California Men’s Colony (CMC), and assigned to Cuesta CC. This Pilot Program will be limited to CCCMS incarcerated individuals who are not currently prescribed a mental health medication, with the exception of a Keep on Person (KOP) medication order for a KOP-eligible medication (KOP-Permitted Mental Health Medication List) (Attachment - A).

By allowing specific Mental Health Services Delivery System (MHSDS) CCCMS incarcerated individuals to participate in the camp program, these incarcerated individuals will be afforded felony expungement opportunities through Assembly Bill 2147 (2019/2020), participation in the Ventura Training Center, and opportunities for post incarceration employment. Participation in meaningful work during their incarceration can also have an ongoing positive effect on these incarcerated individuals’ mental health.

CURRENT CAMP PROGRAM REQUIREMENTS

Currently, CCCMS incarcerated individuals are not eligible for CC placement due to concerns with certain medications’ interaction with heat (both fires and fire camp locations with high summer temperatures), no clinical access at CCs due to their remote locations, and no medical staff being assigned to CCs; however, none of the KOP mental health medications (as listed in Attachment - A) require special medical attention during raised temperatures and have no negative interaction when working in heat.

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PILOT PROGRAM REQUIREMENTS

The CCCMS Cuesta Camp Pilot Program is operating under the authority of Penal Code section 5058.1 and affects no more than 10 percent of the total State inmate population. The primary incentive of this Pilot Program is to promote the rehabilitation of these incarcerated individuals and provide for their successful reintegration back to their communities upon release.

The CCCMS Cuesta Camp Pilot Program will operate as a voluntary program and shall allow for select Level I-II incarcerated individuals to participate in the camp program. CCCMS incarcerated individuals shall continue to be mandated to be seen by their Mental Health Primary Clinician at a minimum of once every 90 days. Additionally, these incarcerated individuals shall be seen by their Psychiatrist at a minimum of once every 90 days (if on medication), annually for an Interdisciplinary Treatment Team (IDTT), and at any other time the incarcerated individual requests. CCCMS incarcerated individuals must meet all other existing camp placement criteria in order to be eligible for participation in the program.

PILOT PROGRAM LOCATION AND DURATION

The CCCMS Cuesta Camp Pilot Program will be implemented at the Cuesta CC located at CMC. The Pilot Program will be in effect for 24 months following approval by the Office of Administrative Law, and will expire by operation of law at the end of this period unless regulations establishing the program are promulgated through the Administrative Procedure Act prior to the Pilot Program's expiration.

The Cuesta CC has been selected for this Pilot Program as it is located near the grounds of the CMC and processes are currently in place at Cuesta CC to allow for camp access to medical services from CMC. A Cuesta CC incarcerated individual may complete a CDCR Form 7362, Health Care Services Request Form, to request health care services at CMC.

By establishing the CCCMS Pilot Program at Cuesta CC, incarcerated individuals who were previously placed in the MHSDS, but are not currently prescribed a mental health medication, with the exception of a KOP-eligible medication (as listed in Attachment - A), shall be afforded CC opportunities.

Existing camp participants will be allowed to remain throughout the Pilot Program at Cuesta CC, and eligible CCCMS incarcerated individuals will be transferred to Cuesta CC.

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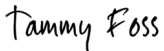
RESEARCH AND EVALUATION

The CCCMS Camp Pilot Program is a voluntary program which is designed to afford eligible CCCMS incarcerated individuals greater access to programs and living circumstances with the intent of increasing the likelihood of their rehabilitation. Once the Pilot Program has been implemented, CDCR shall evaluate and assess its effectiveness in achieving rehabilitative goals.


Staff shall be trained in the programming needs of CCCMS incarcerated individuals and will encourage positive programming in the CC program through positive staff interactions, impactful rehabilitation, and educational resources targeted to the incarcerated individuals' needs.

Additionally, CDCR shall continue to evaluate and assess the Pilot Program's effectiveness, which shall include an annual management review. The results of the review will be shared with the Warden and Associate Directors overseeing the Pilot Program, and all results of internal reviews may be utilized as supporting documentation for the development of regulatory language.

If you have any questions regarding this Pilot Program, please contact Fred Money, Captain, Camp Liaison, Reception Centers Mission, at (916) 324-0756 or Fred.Money@cdcr.ca.gov.

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TAMMY FOSS
Undersecretary
Operations

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JOSEPH BICK, M.D.
Director
Division of Health Care Services

cc: Jeff Macomber
Diana Toche
Jared Lozano
Ron Davis
Patrick Eaton
Tracy Snyder
Fred Money

Note: Authority cited: Sections 5058 and 5058.1, Penal Code.
Reference : Section 5058, Penal Code

Attachment - A



KOP-Permitted Mental Health

MEDICATION LIST

Mental health medications, which only include those written by a psychiatrist for a mental health indication, are to be prescribed/ordered as nurse administered (NA) or under direct observed therapy (DOT) with the exception of the medications on this list for patients in the Correctional Clinical Case Management System (CCCMS) level of care.

Keep-on-Person (KOP) administration type may not be appropriate for all patients. When deciding between KOP, NA, and DOT, consider the factors specified here: [Recommendations on Selecting a Medication Administration Type.](#)

Pharmacologic Class	Medication
Selective serotonin reuptake inhibitors (SSRI)	<u>Citalopram</u>
	<u>Escitalopram</u>
	<u>Fluoxetine</u>
	<u>Fluvoxamine</u>
	<u>Paroxetine</u>
	<u>Sertraline</u>
Selective serotonin and norepinephrine reuptake inhibitor (SNRI)	<u>Duloxetine</u>