

Idaho Department Juvenile Corrections

Senate

Judiciary & Rules Committee

Sharon Harrigfeld, Director
Idaho Department of Juvenile Corrections
954 W. Jefferson St.
Boise, ID 83720
(208) 334-5100 ext. 404

REPEALED RULES

05.01.01

Rules for Contract Providers

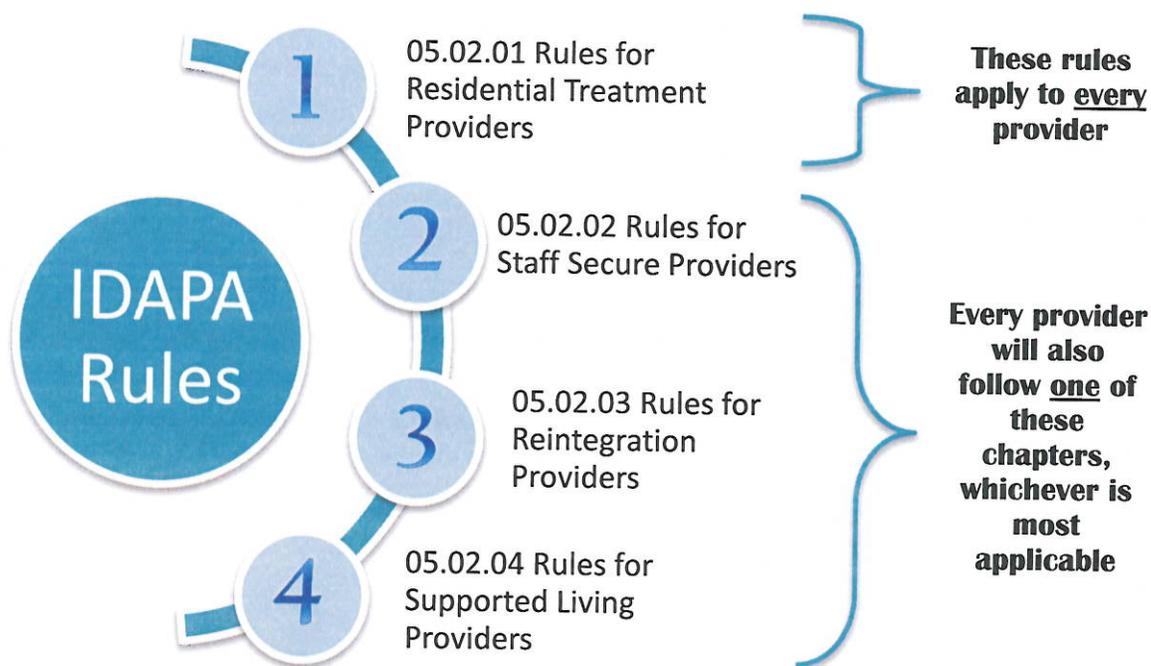
The majority of this chapter is being carried over into the new chapters, but so many changes have been made that we felt it was best to repeal and rewrite the chapter in its entirety.

05.01.05

Rules for Reintegration Providers

The majority of this chapter is being carried over into the new chapters, but so many changes have been made that we felt it was best to repeal and rewrite the chapter in its entirety.

IDAPA Rules for IDJC Contracted Providers Summary of Major Changes



05.02.01 Rules for Residential Treatment Providers

Much of this chapter has been carried over from the chapters currently being repealed, with additional clarification provided.

2. Instead of duplicating this information in each chapter for each different type of provider, all providers must follow this “umbrella” chapter, along with one of the other new chapters, as applicable.
3. Provides clarification to rules that were confusing in the chapters being repealed, such as:
 - Combines all rules related to suicide precautions and prevention into one section (section 225).
 - Clarification provided on the use of polygraphs as part of the program (subsection 240.02).
4. Lengthens the amount of time a provider has to accept or deny a referral from two business days to four business days (subsection 202.01).
5. Includes a section to address volunteers of minimal use to encourage using valuable volunteers in the community. This allows for the provider to allow volunteers who meet certain criteria without necessitating a background check or providing the required training (subsection 215.04).
6. Revises the section related to the Prison Rape Elimination Act (PREA) to increase compliance with the PREA Juvenile Facility Standards (section 224).
7. Added a section requiring the provider to supply a handbook to the juvenile and the parent or guardian. This section also includes the minimum required content of the handbook (section 234).
8. Shortens the amount of time for reporting certain incidents to the required person(s) from ten business days to three business days (subsection 241.03 and 241.04).

Negotiated Rule Making

1. We conducted a very thorough negotiated rule making process during the formation of these rules. Each contracted treatment provider of IDJC was met with or spoke with individually.
2. Many providers met with IDJC’s quality improvement staff and discussed each section and subsection in detail.

3. Feedback from providers was taken into consideration, and many changes were made based on this feedback, such as:
 - Removing too prescriptive language that requires the provider to use a 12-step program for substance abuse services.
 - Clarifying what constitutes “clinical notes”.
 - Revising the rule to state that room restrictions do not warrant an incident report if under 15 minutes. This is in alignment with IDJC’s policy.

05.02.02

Rules for Staff Secure Providers

1. Much of this chapter has been carried over from the chapters currently being repealed, with additional clarification provided.
2. Providers who are staff or hardware secure, and do not fall in the category of reintegration or supported living providers, must follow these rules, along with 05.02.01.
3. Clarifies the section related to searches for contraband (section 220).
4. Changes rule to allow qualified medical professionals to conduct unclothed body searches and body cavity searches of juveniles at staff secure providers, provided conditions are met (section 220).
5. Adds a section on the continued development and the completion of the relapse prevention plan, as consistent with current IDJC practice (subsection 232.08).
6. Streamlines case management due dates to be more consistent with the IDJC process (section 232).
7. Removes the option for providers to utilize the department’s educational software program.
8. Adds a requirement that the provider provide a 30-day supply of medication or a 30-day prescription signed by the physician upon the juvenile’s transfer or release (subsection 237.05).
Adds language to allow staff secure providers to maintain juvenile funds at the program, provided conditions are met (section 207).

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3. Feedback from providers was taken into consideration, and many changes were made based on this feedback, such as:
 - Removing language that requires the provider to use a 12-step program for substance abuse services.
 - Clarifying what constitutes “clinical notes”.
 - Revising the rule to state that room restrictions do not warrant an incident report if under 15 minutes. This is in alignment with IDJC’s policy.

05.02.03

Rules for Reintegration Providers

1. Much of this chapter has been carried over from the chapters currently being repealed, with additional clarification provided.
2. Reintegration providers must follow these rules, along with 05.02.01.
3. Clarifies the section related to searches for contraband (section 220).
4. Changes rule to allow qualified medical professionals to conduct unclothed body searches and body cavity searches of juveniles at staff secure providers, provided conditions are met (section 220).

5. Adds a section on the continued development and the completion of the relapse prevention plan, as consistent with current IDJC practice (subsection 232.07).
6. Streamlines case management due dates to be more consistent with the IDJC process (section 232). Removes the option for providers to utilize the department's educational software program. Adds language to allow providers to maintain juvenile funds at the program, provided conditions are met (section 205).

Negotiated Rule Making

1. We conducted a very thorough negotiated rule making process during the formation of these rules. Each contracted treatment provider of IDJC was met with or spoke with individually.
2. Many providers met with IDJC's quality improvement staff and discussed each section and subsection in detail.
3. Feedback from providers was taken into consideration, and many changes were made based on this feedback, such as:
 - Revising the plan for juvenile budgeting strategies to align with current practice.
 - Clarifying the language related to juvenile escapes.
 - Defining a "health professional".

05.02.04

Rules for Supported Living Providers

1. Much of this chapter has been carried over from the chapters currently being repealed, with additional clarification provided.
7. Supported living providers must follow these rules, along with 05.02.01. Clarifies the section related to searches for contraband (section 220).
4. Adds a section on the continued development and the completion of the relapse prevention plan, as consistent with current IDJC practice (subsection 232.07).
5. Streamlines case management due dates to be more consistent with the IDJC process (section 232).
6. Removes the option for providers to utilize the department's educational software program.
7. Adds language to allow providers to maintain juvenile funds at the program, provided conditions are met (section 205).

Negotiated Rule Making

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 - Clarifying the language related to juvenile escapes.
 - Defining a "health professional".