

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Mental Health Consultation to the Parole Board	PAGE <u> 1 </u> OF <u> 6 </u> NUMBER: 67-MNH-14
RULE/CODE REFERENCE:	SUPERSEDES: 67-MNH-14 dated 02/07/14
RELATED ACA STANDARDS:	EFFECTIVE DATE: February 13, 2015
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to establish procedures for mental health consultation to the Parole Board for the purpose of the completion of Pre-parole Clinical Treatment Summaries for inmates who are being considered for release.

III. APPLICABILITY

This policy applies to all persons employed by or under contract with the Department of Rehabilitation and Correction and all inmates incarcerated within prisons operated by the Department or agents thereof.

IV. DEFINITIONS

Adult Parole Authority/Offender Services Network (APA/OSN) Psychologist – The regional APA/OSN psychologists who will conduct the Violent Offender Risk Assessments at the request of the Parole Board.

Capacity - The functional ability of the offender to understand and respond to information and questions presented to him/her about health care service needs, charges against him/her, and/or parole hearings/plans.

Independently Licensed Mental Health Professional (ILMHP) - Psychiatrists, Psychologists, Advanced Practice Nurse - Mental Health (APN-MH), Licensed Professional Clinical Counselors (LPCC), and Licensed Independent Social Workers (LISW), who by virtue of their training and experience, are qualified to provide mental health care and have been specifically assigned identified tasks in this policy.

Regional Behavioral Health Administrator (RBHA) - The Regional Behavioral Health Administrator (RBHA) at the Operation Support Center (OSC) Bureau of Behavioral Health, who is assigned to parole board requests.

Violent Offender - Inmates who have committed a violent crime, other than a sex offense, and who are subject to the discretionary releasing authority of the Parole Board.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction that mental health shall provide a written clinical report which summarizes an inmate's mental health treatment.

VI. PROCEDURES

A. Capacity Assessments

1. The Parole Board shall submit a request for a Parole Hearing Capacity Assessment using the Adult Parole Authority/Ohio Parole Board Request for Services from the Bureau of Behavioral Health (DRC5266) and submit it to the Bureau of Behavioral Health Services (BOBHS) Regional Behavioral Health Administrator (RBHA) assigned to Parole Board requests.
2. The RBHA shall send the request to the Mental Health Administrator/Manager at the institution where the inmate resides, to assign an ILMHP to evaluate the offender to determine the offender's capacity to understand the nature and objectives of the hearing and his/her ability to participate in the hearing.
3. A capacity assessment shall consist of a review of the mental health file, an interview with the offender, and the completion of the Consult to Mental Health for Evaluation of Capacity to Participate in Parole Hearing (DRC5516).
4. The Consult to Mental Health for Evaluation of Capacity to Participate in Parole Hearing (DRC5516) shall be completed within five working days prior to the hearing and be provided to the Parole Board.
5. A copy of the Consult to Mental Health for Evaluation of Capacity to Participate in Parole Hearing (DRC5516) shall be placed in the mental health file in the screening and assessment section.
6. Only if the offender is found incapable of proceeding with the hearing will the hearing be temporarily postponed until such time as the offender is sufficiently improved to understand the nature and objectives of the hearing and to participate.
7. An ILMHP shall re-evaluate the offender at 30 day intervals, using the Consult to Mental Health for Evaluation of Capacity to Participate in Parole Hearing (DRC5516), so that the hearing may be rescheduled at the earliest feasible date.

B. Pre-Parole Clinical Treatment Summary

1. The Parole Board shall complete a request for an Adult Parole Authority/Ohio Parole Board Request for Services from the Bureau of Behavioral Health (DRC5266) if a Pre-Parole Clinical Treatment Summary is needed.
2. The request for a Pre-Parole Clinical Treatment Summary shall be submitted to the RBHA for approval. Upon approval, the request shall be sent to the institutional Mental Health Administrator/Manager or designee for assignment to an examiner.
3. Inmates who are designated to have a Pre-Parole Clinical Treatment Summary must be informed of the limits of confidentiality and sign an Authorization for Release of Mental Health Information (DRC5159) form. This written authorization must be obtained from the inmate before completing the Pre-Parole Clinical Treatment Summary. The Pre-Parole Clinical Treatment Summary cannot be completed if the inmate does not sign the release form. The Parole Board shall be notified if the inmate refuses to allow this information to be released.
4. The Pre-Parole Clinical Treatment Summary shall include compliance with treatment and programming to assist in ensuring the continuity of mental health care once the inmate is released to the community.
5. If a Pre-Parole Clinical Treatment Summary cannot be completed in a timely manner, the (BOBHS) RBHA shall be notified via email so that the Parole Board can be contacted and the inmate rescheduled as soon as possible so as not to delay parole release consideration because of a delay in completion of the treatment summary.

C. Pre-Parole Risk Assessment for Violent Offenders

1. The Parole Board shall complete a request for an Adult Parole Authority/Ohio Parole Board Request for Services from the Bureau of Behavioral Health (DRC5266) if a Pre-Parole Violent Offender Risk Assessment is needed.
2. These requests are only made for inmates who have committed a violent crime, other than a sex offense, and who are subject to the discretionary releasing authority of the Parole Board
3. The request for a Pre-Parole Risk Assessment shall be submitted by the Parole Board to the RBHA for assignment to the OSN/APA Psychologist in either the north or south region, as indicated by the region/institution where the inmate resides.
4. Once assigned, the OSN/APA Psychologist shall request all ancillary information from the Parole Board that the Parole Board has available for this inmate, and, schedule the risk assessment through the Mental Health Administrator/Manager at the institution where the inmate resides.

5. Assessment Process

- a. Prior to meeting with the inmate to be assessed, the Offender Services Network (OSN/APA) Psychologist shall review pertinent information in DOTS PORTAL such as RIB1, MHPRO, and OSMRY, medical information in Patient One View, and the inmate's Mental Health file.
- b. Inmates who are designated to have a Pre-Parole Violence Risk Assessment must be informed of the limits of confidentiality and sign an Authorization for Release of Information (DRC5159) form. This written authorization must be obtained from the inmate before starting the Pre-Parole Violence Risk Assessment. The Assessment cannot be completed if the inmate does not sign the release form. The Parole Board shall be notified if the inmate refuses to allow this information to be released and/or refuses to participate in the assessment.
- c. The OSN/APA Psychologist shall conduct a semi-structured interview based on the categories of the assessment instruments (HCR-20 without the PCL-R and the VRS: Violence Risk Scale), using a semi-structured interview format that identifies the overlap in items between the two instruments, as well as items specific to each instrument (Appendix A). Both instruments shall be utilized because, in addition to the overlap in items, each includes additional items relevant to risk assessment.
- d. A written summary shall be provided to the Parole Board within 60 days of the request. This summary shall include the reason for referral, mental status, procedure of the assessment, summary and implication of the HCR-20 scoring, summary and implication of the VRS scoring, an overall summary of risk level, and specific mitigating or destabilizing risk factors that will be monitored under supervision if the inmate is paroled.

Attachments:

Appendix A HCR-20 & VRS Semi-Structured Interview Format

Related Departmental Forms

Authorization for Release of Mental Health Information	DRC5159
Consult to MH for Evaluation of Capacity to Participate in Parole Hearings	DRC5516
Adult Parole Authority/Ohio Parole Board Request for Services from the Bureau of Behavioral Health	DRC5266

Appendix A Semi-structured Interview

Items on both the HCR-20 and VRS

Previous violence/violent lifestyle

Age at first violence

Relationship stability

Employment problems/work ethic

Substance abuse

History of mental illness

Psychopathic traits/criminal personality

Early maladjustment/#youth convictions

Prior parole/probation/PRC failures/escapes

Lack of insight re: violence

Negative/criminal attitudes

Impulsivity

Response to previous tx

Feasibility of plans/release to high risk situations

Exposure to destabilizers

Personal/community support

Compliance with remediation/supervision

Stress expected in release situation

HCR-20 items only

Personality disorder

Current MH symptoms

VRS-only items

Stability of upbringing

Criminal peers

Interpersonal aggression

Emotional control

Violence during institutionalization

Weapon use

Violence cycle (similar situations produce similar violence)

Cognitive distortion (justification of criminal behavior)

Security level of release institution