



**Patuxent Institution  
Directive**

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**Approved By:  
Randall S. Nero, Ph.D.  
Director**

<b>Title:</b> <b>Determination of Eligibility</b>	<b>Directive Number:</b> <b>PATX.085.0001</b>
<b>Related MD Statute/Regulations</b> <b>COMAR 12.12.03; COMAR 12-12.27.05;</b> <b>Correctional Services Article §§ 4-101(e); 4-208; 4-301;</b> <b>4-401</b>	<b>Supersedes:</b> <b>PID #85-1</b>
<b>Related ACA Standards:</b>	<b>Authorized By:</b> <b>Director of Patuxent Institution</b>
<b>Related MCCS Standards:</b> <b>Maryland Commission on Correctional Standards .06A</b>	<b>Effective Date: January 2, 2013</b> <b>Number of Pages: 4</b>

**.01 Purpose.**

To establish procedures for evaluating inmates for eligibility for participation in the programs of the Patuxent Institution under Md. Code Ann. Corr. Serv. §§4-101(e) and 4-301 or §4-401; COMAR 12.12.03 or COMAR 12.12.27.05 and to establish appropriate administrative review and quality assurance activities related to the Evaluation Process.

**.02 Scope.**

Applicable to all Eligible Person Program and Youth Offender Program inmates.

**.03 Policy.**

It is the policy of Patuxent Institution to determine an inmate's eligibility for participation in the Eligible Person Program and Youth Offender Program via an evaluation process.

**.04 Definitions.**

A. In this directive, the following terms have the meanings indicated.

B. Terms Defined.

(1) **Evaluation Process** – The process by which it is determined that an inmate is or is not an Eligible Person/Patuxent Youth. The Evaluation Process begins when the inmate is available to Patuxent Institution staff for evaluation and ends when a recommendation is accepted and approved by the Director. The evaluation process is to be conducted within a six-month interval.

(2) **Examiner Report** – A confidential professional report prepared on an inmate under evaluation by an assigned treatment staff member.

(3) **Final Evaluation Report** – A report prepared by the Treatment Team Leader and submitted to the Director through the Associate Director of Behavioral Sciences. The Final Evaluation Report contains the findings and the recommendations of the Evaluation Team.

(4) **Evaluation Team** – A team of Patuxent staff consisting minimally of a social worker, or behavioral scientist, a psychologist and a psychiatrist who examine an inmate to determine eligibility.

(5) **Evaluation Conference** – A meeting held at the Institution consisting minimally of the members of the Evaluation Team and the Treatment Team Leader of the Team to which the inmate is assigned. The purpose of the Evaluation Conference is to discuss an inmate's eligibility as determined by the criteria specified in Md. Code Ann. Corr. Serv. §§4-101(e) and 4-301 or §4-401; COMAR 12.12.03 or COMAR 12.12.27.05, (including any program specific criteria determined by the Director), and to arrive at a recommendation to be forwarded to the Director for acceptance and approval.

(6) **Diagnostic Review Conference** – A meeting consisting minimally of the Associate Director of Psychiatry, the Associate Director of Behavioral Sciences, the Warden, and the Treatment Team Leader of the Team to which the inmate is assigned (or their respective designees). The purpose of the Diagnostic Review Conference is to provide appropriate administrative oversight and review of the reports, processes and the procedures of the Evaluation Process.

## **.05 Responsibility.**

### **A. Assignment of Examiners**

(1) The Associate Director of Behavioral Sciences shall provide for the assignment of qualified examiners by the end of the first month of the Evaluation Process.

### **B. Orientation and Information Collection**

(1) During the first month of the Evaluation Process, the Treatment Team will orient the inmate and the information required by Md. Code Ann. Corr. Serv. §4-209 will be gathered.

### **C. Behavioral Observation and Institutional Adjustment**

(1) Reports of the observed behavior of the inmate obtained from any Patuxent Staff member and direct observations by members of the Evaluation Team shall be considered in the inmate's evaluation.

(2) Records and reports of the inmate's Institutional Adjustment and Disciplinary record shall be considered in the evaluation process.

### **D. Scheduling of the Evaluation and Diagnostic Review Conferences and Completion of Examiner Reports**

(1) Before the third month of the Evaluation Process, the Associate Director of Behavioral Sciences will schedule a Diagnostic Review Conference for reviewing the inmate's Evaluation. The date of this Conference shall no later than six months from the date of the start of the Diagnostic Process.

(2) The Associate Director of Behavior Sciences, through the appropriate Treatment Team Leaders, shall ensure that the Evaluation Team assigned to the inmate shall meet no later than one week prior to the scheduled Diagnostic Review Conference, and that all Examiner Reports are completed by the time of the Evaluation Team Meeting.

### **E. Evaluation Team Meeting and Recommendations**

(1) The Evaluation Team Meeting is chaired by the Treatment Team Leader who will review the Examiner reports for adequacy, and conduct a discussion of the inmate according to the criteria established in

Md. Code Ann. Corr. Serv. §4-101(e) or §4-401(c) and (j) and COMAR 12.12.03.05 or COMAR 12.12.27.06; and will also consider any additional program specific criteria determined by the Director.

(2) The Treatment Team Leader shall note if any inadequacy is found in any of the Examiner's Reports that might compromise the validity and fairness of the Evaluation Process. If such an inadequacy is found, the report shall be referred to the original examiner for correction prior to the scheduled Diagnostic Review Conference.

(3) The Treatment Team Leader shall record the Examiner's recommendations at the end of the discussion, and shall ensure the completion of the Evaluation Report containing the team's overall recommendation by the date of the Diagnostic Review Conference. The Treatment Team Leader will provide an administrative recommendation related to the inmate's eligibility for the program.

#### F. Diagnostic Review Conference Meetings, Referral of Recommendations and Final Report

(1) The Diagnostic Review Conference is chaired by the Associate Director of Behavioral Sciences and attended by the Treatment Team Leader responsible for the inmate's Evaluation Report.

(2) The Diagnostic Review Conference shall review the sufficiency, accuracy, and completeness of submitted reports and any supporting material which it requests from the Examiners. In conducting the review, each Associate Director shall especially stress those requirements of the Evaluation Process and mandated evaluation criteria which are most directly under that Associate Director's supervision.

(3) Any Associate Director or the Treatment Team Leader present at the Diagnostic Review Conference may request that an Examiner Report be referred back to the original examiner for correction or amendment evaluation criterion. The Associate Director of Behavioral Sciences shall be responsible for deciding whether to accept the Evaluation Report and forward to the Director for acceptance and approval, or for referring the Evaluation Reports to the Treatment Team Leader for correction or completion. In the case of Evaluation Reports referred back to the Treatment Team Leader, the Associate Director for Behavioral Sciences shall provide a written statement of deficiencies or errors in the report to the Treatment Team Leader.

(4) In some circumstances the Diagnostic Review Conference may request an appearance by an inmate or staff member to directly clarify facts regarding the Evaluation Process.

#### G. Diagnostic Review Conference Report to the Director

(1) The Associate Director of Behavioral Sciences shall provide to the Director, within one week of the Diagnostic Review Conference, a written record of the cases scheduled for the relevant Evaluation and Diagnostic Review Conferences and a summary of recommendations made. In the case of Examiner Reports or Evaluation Reports that are referred back to an examiner or a Treatment Team Leader, the Associate Director's report to the Director shall describe the deficiencies or errors involved and provide an approximate date by which the case will be returned to the Diagnostic Review Conference.

#### H. Notification and Appeals of Decisions

(1) The Treatment Team Leader shall inform the inmate of his or her eligibility or no eligibility upon the Director's acceptance and approval of the Evaluation Team's recommendation.

(2) The inmate may direct a written Appeal of this decision to the Director. To be considered, the appeal must set forth specific grounds upon which the Evaluation Process might be judged to be inadequate,

inaccurate, or unfair. The Director, or his designee, shall notify the inmate of a ruling in regard to the adequacy, accuracy, and fairness of the evaluation within fifteen working days of the date of receipt of the written appeal.

**.06 Attachments/Links**

None

**.07 History**

A. Rescinds PID 85-1 dated April 1, 1998.

B. This Directive supersedes provisions of any other prior existing Agency communication with which it may conflict.

**.08 Distribution**

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