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State of Alabama Alabama Department of Correction

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DONAL CAMPBELL
COMMISSIONER

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ADMINISTRATIVE REGULATION
NUMBER 605

OPR: TREATMENT

MENTAL HEALTH STAFF PARTICIPATION IN FORENSIC EVALUATIONS

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes policies, procedures, and responsibilities for excluding contract and ADOC mental health staff from participation in forensic evaluations that could be used in adversarial legal proceedings.

II. POLICY

Contract and ADOC mental health staff are prohibited from participating in the conduct of forensic evaluations. Mental health staff may conduct psychological evaluations to assist in determining parole eligibility, but only when the inmate has provided written consent for the evaluation. In such instances, the services of outside providers or mental health staff, not involved in a therapeutic relationship with the inmate, will conduct the evaluation.

III. DEFINITION(S) AND ACRONYM(S)

Refer to AR 602 for definitions of the following terms used in this AR:

Competency

Forensic Evaluation

Psychological Evaluations

Sanity

IV. RESPONSIBILITIES

The Director of Treatment for ADOC is responsible for ensuring that contract and/or ADOC mental health employees will not participate in forensic/psychological evaluations without prior approval.

V. PROCEDURES

- A. Contract and ADOC mental health staff will not conduct psychiatric or psychological evaluations or assessments, nor participate in the recruitment of outside providers to conduct evaluations or assessments for the purpose of determining an inmate's:
1. Competency to stand trial for an alleged crime
 2. Sanity at the time of an alleged crime
 3. Competency to undergo proceedings associated with execution

*Note: Does not apply to AR 626, Mental Health Consultation to Disciplinary Process.

- B. When the ADOC Director of Treatment assigns an ADOC psychologist/psychological associate a forensic/psychological evaluation for the purpose of assessing parole eligibility, the inmate must sign ADOC Form MH-001, Authorization for Release of Information. The inmate's authorization will be filed in the medical record.

VI. DISPOSITION

Refer to AR 601, Mental Health Forms and Disposition

VII. FORMS

Refer to AR 601, Mental Health Forms and Disposition for:

ADOC Form MH-001, Authorization for Release of Information

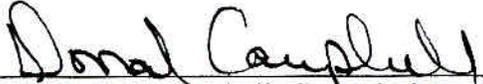
VIII. SUPERCEDES

This regulation supercedes AR 445 dated June 27, 2001.

IX. PERFORMANCE

This AR is published under the authority of:

- A. The Bradley Agreement of August 8, 2000
- B. The National Commission on Correctional Health Care: Standards for Health Services in Prisons, 2003. (P-I-01)
- C. Department of Mental Health and Mental Retardation Statutory Authority:
The Code of Alabama, 1975, Section 22-50-11



Donal Campbell, Commissioner