



# Office of Children and Family Services

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## Administrative Directive

<b>Transmittal:</b>	23-OCFS-ADM-23
<b>To:</b>	Detention Operating Agencies
<b>Issuing Division/Office:</b>	Division of Youth Development and Partnerships for Success
<b>Date:</b>	November 29, 2023
<b>Subject:</b>	<b>Standards for Transferring Medication, Medical Equipment or Devices, and Medical and Behavioral Health Records With Youth</b>
<b>Suggested Distribution:</b>	<b>Detention Facility Directors Detention Operating Agencies Executive Directors Detention Administering Agencies Executive Directors</b>
<b>Contact Person(s):</b>	Donte Blackwell, Director, Bureau of Youth Justice Services <a href="mailto:Donte.Blackwell@ocfs.ny.gov">Donte.Blackwell@ocfs.ny.gov</a>
<b>Attachments:</b>	None

### Filing References

Previous ADMs/INFs	Releases Cancelled	NYS Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
		9 NYCRR 180-1.9 9 NYCRR 180-1.10 9 NYCRR 180-3.7 9 NYCRR 180-3.21			

### I. Purpose

The purpose of this Administrative Directive (ADM) is to provide guidance to detention facilities on the required protocols for transferring medication, medical equipment or devices, and medical and behavioral health records (medical records). Medical records, by regulation, are required to be transferred with the youth when they move from a detention facility to another facility.

### II. Background

All detention facilities are required to provide appropriate medical care consistent with 9 NYCRR 180-1.9, 180-1.10, and 180-3.21. Proper transfer of medication, medical equipment or devices, and medical records when youth are being transferred from a detention facility to another facility is critical for the continued health, safety, and well-being of youth. Additionally, all medical records must accompany the youth to ensure a seamless transition from one facility to the next.

### III. Program Implications

As part of the facility's required medical and behavioral health care system, when a youth is moved from a detention facility to another facility, they must be transferred to the receiving facility with a complete medical record and with any personal medical equipment or devices. When the youth requires medication

to which they must have immediate access upon need (e.g., asthma inhaler, EpiPen, insulin), the medication must accompany the youth, and there must be sufficient supply for at least three days. Where practicable, at least a two-weeks supply of all required prescription medications, appropriately labeled with the name of the youth, dosage, time administered, method of administration, and prescriber should be included at the time of transfer.

#### IV. Required Action

When a youth is transferred from a detention facility to another facility of any kind, the youth must be transferred with a copy of their medical record. The record shall be labeled confidential and forwarded to the receiving facility and, at a minimum, shall contain:

- The name and relationship to the youth of the persons (parent(s), legal guardian, or spouse) to be notified in case of the death, serious illness, or other serious incident involving the youth;
- Identification of current medications and dosages;
- All physician's orders;
- Any health assessments, evaluations, or reports, including reports, evaluations, and summaries completed by local providers; and
- A summary of the youth's medical and/or behavioral health issues

Within 90 (ninety) days of the issuance of this ADM, each detention facility is required to have a procedure for the transfer of medication, medical equipment or devices and medical records that identifies the following:

- Staff responsible for checking that the medication and all records are accurate.
- Staff responsible for ensuring that all medical devices or equipment, medication, and medical records are prepared the day prior to the youth's transfer where possible.
- Staff responsible for ensuring that youth are administered scheduled medications before transport, where possible, and procedures to provide medication during transport when necessary.
- Staff responsible for ensuring that all prepared materials are labeled confidential and provided to the transferring staff.
- Staff responsible for ensuring that the transferring agency (e.g., sheriff, local department of social services, probation, the New York State Office of Children and Family Services) has received and accounted for all of the youth's records, medications, and medical equipment or devices.
- Staff at the sending facility who may should be contacted by the receiving facility in the event of questions or concerns, including an after-hours contact.
- Process for quality assurance and oversight of the transfer process.

#### IV. Systems Implications

None

#### V. Effective Date:

This ADM is effective immediately.

*/s/ Nina Aledort, Ph.D.*

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#### Issued by:

Name: Nina Aledort, Ph.D.

Title: Deputy Commissioner

Division/Office: Division of Youth Development and Partnerships for Success