

POLICY OF STATE OF DELAWARE DEPARTMENT OF CORRECTION	POLICY NUMBER F-02.1	PAGE NUMBER 1 of 5
	RELATED NCCHC & ACA STANDARDS: A-03; I-02 4-ADLF-2A-53; 4-D-15	
CHAPTER: 11 BUREAU OF CORRECTIONAL HEALTHCARE SERVICES	SUBJECT: HUNGER STRIKE	
EFFECTIVE DATE: 6/7/2013		
APPROVED FOR PUBLIC RELEASE		

- I. **AUTHORITY:** Bureau of Correctional Healthcare Services
- II. **PURPOSE:** The purpose of this order is to establish a plan of action to follow in the event of an offender or detainee hunger strike.
- III. **APPLICABILITY:** All Department of Correction employees and vendor staff, offenders, and any outside healthcare provider servicing DOC offenders.
- IV. **DEFINITIONS:** See glossary.
- IV. **POLICY:**
- A. In the event of an offender's refusal to eat, it is the policy of the BCHS to monitor and treat offenders who declare a hunger strike.
- B. Each Level 4 and Level 5 facility will develop a site-specific procedure for implementing this policy and coordinating the procedure with BCHS.
- V. **PROCEDURES**
- A. If an offender is identified to be on a hunger strike, the Health Services Administrator or designee will notify the Warden, Bureau Chief of the Bureau of Correctional Healthcare Services and BCHS Medical Director.
- B. When an offender refuses to either eat or drink for more than 72 hours the following guidelines shall be followed:
1. Once a hunger strike has been identified, the Health Services Administrator shall facilitate an offender's move into the infirmary for further observation.
 2. While in the infirmary, the offender shall be evaluated by medical staff. This evaluation shall include:
 - a. vital signs (temperature, pulse, respirations and blood pressure) at least every 8 hours;
 - b. weight (initial weight on admission to the infirmary and daily thereafter while on strike)

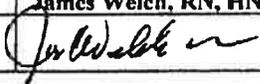
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- c. a general medical examination with baseline laboratory tests, as appropriate
 - d. a Comprehensive Mental Health Evaluation and Suicide Risk Assessment, by the Mental Health staff and daily evaluation for the duration of the hunger strike. These evaluations should be documented in the mental health section of the offender's medical record.
3. Medical staff shall monitor and record all food and liquid intake by the offender during this period and report their findings to the physician. Meals will be presented three times daily and an adequate supply of water shall be made available. Staff shall remove any commissary food items and private food supplies of the inmate while the inmate is on a hunger strike. An inmate may not make commissary food purchases while under hunger strike management.
4. Vital sign monitoring by medical shall be conducted every shift (or more often if indicated). Vital signs or the offender's refusal to allow the vital signs measurement shall be documented in the medical record by the medical staff and the refusal witnessed by another medical or custody staff member.
5. Prescribed medication shall be offered at the usual medication-pass times. Refusal of medication shall be documented in the usual manner. If the offender refuses to sign the Medication Refusal Form, the refusal will be witnessed by another medical or custody staff member.
6. A physician will review the medical record and examine the offender within 24 hours of admission to the infirmary and daily thereafter for the duration of the hunger strike. The physician will determine if there are any acute or chronic medical conditions that would place the offender in a higher risk for complications of the hunger strike and advise the BCHS of such conditions.
- a. A religious fast is not considered a Hunger Strike and should be accommodated as closely as possible until such time that the offender's life comes into jeopardy. If the treating physician determines that the offender's life comes into jeopardy, the physician will follow item 10 below.
 - b. A person who has an Advance Directive of a Do Not Resuscitate (DNR) will have that decision honored if they decide that no longer wish to take food or liquids consistent with his Advance Directive.
7. The vital signs, weights and all food or liquid intake will be documented on the Hunger Strike Form. Attachment 1

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7. The vital signs, weights and all food or liquid intake will be documented on the Hunger Strike Form. Attachment 1
8. An offender on a hunger strike will be counseled and advised of the medical risks and will be encouraged to end the hunger strike or accept medical treatment. This counseling will be documented in the daily Medical and Mental Health evaluation documentation.
9. If the physician reviewing the medical condition of the offender determines that the offender is at high risk for medical complications of the hunger strike, becomes weak, unable to consume food or liquids by themselves, develops a life threatening or long-term health threat or is in the 7th day of the hunger strike they will notify the BCHS who will notify the Deputy Attorney General for consideration of pursuing a court order for involuntary feeding and fluid administration.
10. When the attending physician determines that the medical condition has become life threatening before a court order for involuntary feeding or fluid administration can be issued, arrangements will be made for transfer to an outside medical facility.
11. If a court determines that it does not have jurisdiction to issue such an order or a hospital refuses to administer involuntary sustenance, the Warden may consider directing a Treatment Review Committee in accordance with DOC Policy I-02.1 Non-Emergency Involuntary Medication Administration, for the administration of involuntary feeding or fluid administration if the hunger strike is still ongoing.
12. Only the physician may order that an inmate be released from hunger strike evaluation and treatment. This order shall be documented in the medical record of the inmate.
13. The Health Services Administrator or designee, Warden, BCHS Bureau Chief and BCHS Medical Director shall be notified when an offender resumes eating.

Approval:

Date of Policy/Revision	BCHS Bureau Chief, James Welch, RN, HNB-BC	Date	Robert Coupe Commissioner	Date
5/24/2013		4/2/13		06/07/13

<p align="center">STATE OF DELAWARE DEPARTMENT OF CORRECTION</p>	<p align="center">POLICY NUMBER F-02.1</p>	<p align="center">PAGE NUMBER Review Addendum</p>
<p>SUBJECT: SUBJECT: HUNGER STRIKE</p>		

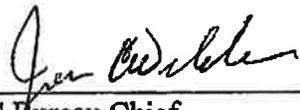
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 BCHS Bureau Chief
 James Welch, RN, HNB-BC

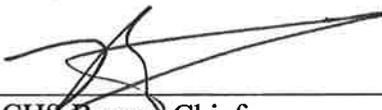
6/16/14
 Date

I have reviewed this policy and found it to be current.



 BCHS Bureau Chief
 James Welch, RN, HNB-BC
 I have reviewed this policy and found it to be current.

9/27/15
 Date



 BCHS Bureau Chief
 Marc D. Richman, Ph.D.

3/12/16
 Date

