

**STATE OF VERMONT
AGENCY OF HUMAN SERVICES
DEPARTMENT OF CORRECTIONS**

Directive: 51.01

Subject: Access To Offender Medical Records By Disability Determination Services

Effective Date: July 1, 1992 **Review and Re-Issue Date:**

Supersedes: NEW **APA Rule Number:**

Recommended for approval by:		Authorized By:	
_____	_____	_____	_____
Signature	Date	Signature	Date

1. Authority:

- 1.1 28 V.S.A. Section 601(10)
- 1.2 Policy 266, Security, Privacy and Confidentiality of Offender Information.

2. Purpose:

- 2.1 This directive prescribes the procedures for the Agency of Human Services, Disability Determination Services to review offender medical records and obtain narrative reports of offenders in the custody and control of the Department of Corrections. .

3. Applicability/Accessibility

- 3.1 This directive applies to Department of Corrections staff and volunteers

4. Directive

- 4.1 Offenders are not precluded from filing for federal and state benefits. When an offender applies for disability benefits, the Agency of Human Services, Disability Determination Services, is legally mandated to request all available medical records which are pertinent to 'the offender's disability claim. This includes the medical records which are in the custody of a correctional facility.

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- 4.2 Corrections staff are authorized to make an offender's medical records available to Disability Determination Services upon a written request from that office that includes a medical information release authorization signed by the offender.
- 4.3 Also, any information that can be derived from the offender's medical records should be provided if requested in writing by the Disability Determination Services.
- 4.4 Fees for photocopying records and preparing narrative reports may be assessed pursuant to the schedule of payments by Disability Determination Services.
- 4.5 Once a request for records and/or a narrative report is satisfied, corrections staff should ensure that a copy of the request and accompanying release are maintained in the offender's medical records.
- 4.6 Any questions about the processing of requests for medical records should be directed to the Legal Division.

5. Training Method

5.1

6. Quality Assurance Processes

6.1

7. Financial Impact:

7.1

8. References

9. Responsible Director and Draft Participants