



ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

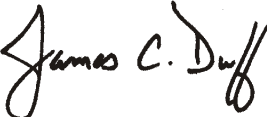
JAMES C. DUFF
Director

WASHINGTON, D.C. 20544

August 21, 2006

MEMORANDUM

To: Judges, United States District Courts
United States Magistrate Judges
Federal Public/Community Defenders
Chief Probation Officers

From: James C. Duff 

RE: INFORMATION ON THE BUREAU OF PRISONS MEDICAL CARE
LEVEL CLASSIFICATION SYSTEM (**IMPORTANT INFORMATION**)

During the past year and a half, the Bureau of Prisons (BOP) has been pursuing several initiatives to streamline and enhance the effectiveness of BOP operations. The implementation of a new medical care level classification system is one such initiative. Under this new system, BOP staff at the Designation and Sentence Computation Center (DSCC) in Grand Prairie, Texas, and the Office of Medical Designations and Transportation in Washington, DC, will match inmates with institutions that can best meet their medical needs. Inmates who are in good health or with less serious medical conditions will be designated to appropriate institutions by staff at the DSCC. Inmates who require more care will be designated by the Office of Medical Designation and Transportation.

BOP staff will continue to rely on information contained in the presentence report, the judgment, and the statement of reasons. The BOP will also continue to consider judicial recommendations when designating inmates; however, if the court recommends a facility that is not consistent with the medical care level of the inmate, the BOP will notify the judge. The BOP has prepared the attached outline of the care levels and examples of which offenders are generally suited for institutions in each care level.

If you have any questions concerning designations of inmates with significant medical or mental health conditions, please contact Yvonne Phillips, Chief, Office of Medical Designations and Transportation, at (202) 514-9780. For all other designation-related questions, please contact Rebecca Tamez, Chief, DSCC, at (972) 352-4400. Additional questions, may be referred to James Oleson, Chief, Criminal Law Policy Staff, at (202) 502-1647 or via e-mail to James.Oleson/DCA/AO/USCOURTS.

Attachment

OUTLINE OF BUREAU OF PRISONS CARE LEVELS AND EXAMPLES

There are four CARE Levels in the Bureau of Prisons (BOP) medical CARE Level classification system. After initial designation and provisional care level assignment by the Designation and Sentence Computation Center (DSCC), non-provisional CARE Levels are determined by BOP clinicians. These assignments depend on treatment modalities and inmate functionality in addition to diagnostic categories such as cancer, diabetes, HIV, hepatitis.

Q. Who are CARE Level 1 inmates and who designates them?

- Inmates are generally healthy, but may have limited medical needs that can be easily managed by clinician evaluations every six months; and
- Inmates are less than 70 years of age.
- CARE Level 1 designations are made by the DSCC.
- **Examples:** mild asthma, diet-controlled diabetes, stable HIV patients not requiring medications.

Q. Who are CARE Level 2 inmates and who designates them?

- Inmates are stable outpatients who require at least quarterly clinician evaluations.
- Can be managed in chronic care clinics, including for mental health issues.
- Enhanced medical resources may be required from time to time, but are not regularly necessary.
- CARE Level 2 designations are made by the DSCC.
- **Examples:** medication-controlled diabetes, epilepsy, or emphysema.

Q. Who are CARE Level 3 inmates and who designates them?

- Inmates are fragile outpatients who require frequent clinical contacts to prevent hospitalization for catastrophic events.
- May require some assistance with activities of daily living, but do not need daily nursing care.
- Inmate companions may be used to provide assistance.
- Stabilization of medical or mental health conditions may require periodic hospitalization.
- **Examples:** cancer in remission less than a year, advanced HIV disease, severe mental illness in remission on medication, severe congestive heart failure, end-stage liver disease.
- **Designation of CARE Level 3 inmates is made by the BOP's Office of Medical Designation and Transportation in Washington, D.C.**

Q. Who are CARE Level 4 inmates and who designates them?

- Inmates require services available only at an MRC (which provide significantly enhanced medical services and limited in-patient care).
- May need daily nursing care.
- Functioning may be severely impaired and requires 24-hour skilled nursing care or nursing assistance.
- **Examples:** cancer on active treatment, dialysis, quadriplegia, stroke or head injury patients, major surgical patients, acute psychiatric illness requiring inpatient treatment, high-risk pregnancy.
- **Designation of CARE Level 4 inmates is made by the BOP's Office of Medical Designation and Transportation in Washington, D.C.**

Q. When is the CARE Level classification process going to be implemented?

A. It is currently in use.

Q. What can I, as a federal judge, do in the sentencing process to assist in the designations process?

- Until an inmate comes into the BOP and is evaluated by a health care provider, the Presentence Report (PSR) is the BOP's principal resource for initially assessing medical conditions.
- The Court can assist the BOP in this process by requesting that the PSR contain complete and current information regarding the medical and mental health status of the inmate (for example, new or additional information that may be available from the local jail or the defendant's personal physician). In order to facilitate appropriate Care Level designation, the Court should recommend that all current medical information be forwarded to the BOP at the time of sentencing.

Q. Whom should the judges contact concerning designations for defendants from their courts?

- The first point of contact within the BOP for defendants who do not have significant medical or mental health conditions should be the DSCC. (Ms. Rebecca Tamez, (972) 352-4400.)
- If you have questions or concerns about a prisoner's medical conditions, please contact Ms. Yvonne Phillips, Chief, OMDT, at (202) 514-9780.

Q. If the court recommends incarceration at a facility that is not consistent with the medical CARE Level of the inmate, what happens?

- The BOP notifies the court by letter when it is unable to implement the court's recommendation, stating the general reason for departure from the recommendation.