

PRISONS
Health and Wellness Services
Policies and Procedures

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| Title | Therapeutic Diversion Units (TDU) | | | |
| Section | TX I-15 | Issue Date July 20, 2020 | Supersedes Date N/A | Next Review Date June 2021 |

References

Performance-Based Standards and Expected Practices for Adult Correctional Institutions, 5th Edition
5-ACI-4B-31; 5-ACI-6A-30
NCDPS Policy and Procedures
A.1200 Mutual Respect and Collaboration; B.0100 Sentence Credits; B.0200 Offender Disciplinary Procedures; C.0300 Restrictive Housing for Administrative Purposes; C.1200 Conditions of Confinement; C.1300 Restrictive Housing for Control Purposes (RHCP)

I. PURPOSE

The purpose of Therapeutic Diversion is multifaceted, including goals of decreasing the population of offenders with mental illness in Restrictive Housing and time spent in Restrictive Housing by such offenders; decreasing rates of release of offenders with mental illness to the community from Restrictive Housing; decreasing offender violent, self-injurious/suicidal, or otherwise disruptive behavior; providing evidence-based and multidisciplinary behavioral health-oriented therapeutic programming to offenders; and preparing offenders for successful transition from more to less restrictive environments within NCDPS prisons or to the community at large. These goals are to be accomplished through combinations of structured evidence-based group and individual therapeutic interventions, unit-based leisure and recreation activities, psychiatric medication management, structured behavior-oriented incentive opportunities, systematic introduction of privileges and controlled socialization opportunities, ancillary programming, and multidisciplinary staff involvement.

II. SCOPE

This Policy applies to NCDPS Division of Adult Correction and Juvenile Justice, Prisons.

III. DEFINITIONS

(a) **Serious Mental Illness (SMI)** – Any diagnosed mental disorder (excluding substance abuse disorders) currently associated with serious impairment in psychological, cognitive, or



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behavioral functioning that substantially interferes with the person’s ability to meet the ordinary demands of living and requires an individualized treatment plan by a qualified mental health professional(s).

- (b) **Therapeutic Diversion Unit (TDU)** – A designated and secured housing unit staffed by behavioral health, nursing, custody and additional ancillary staff tasked with implementing the operations and treatment programming of Therapeutic Diversion.
- (c) **TDU Operational Manual** – A written manualized set of programmatic and systemic directives, objectives/goals, materials, multidisciplinary staff responsibilities encompassing any and all staff assigned to or working within a TDU, and requirements of all TDU programs across NCDPS prisons.
- (d) **TDU Psychological Services Coordinator** – A Psychological Services Coordinator assigned to a designated TDU and specifically tasked with implementing and overseeing its behavioral health operations and programming relative to Therapeutic Diversion.
- (e) **Interdisciplinary Team (IDT)** – A designated group of Custody, Medical, and Behavioral Health staff within a given facility that shall meet weekly to discuss significant cases or issues within the facility, as per NCDPS Prisons Policy and Procedure A.1200 Mutual Respect and Collaboration.

IV. POLICY

(a) Responsibilities

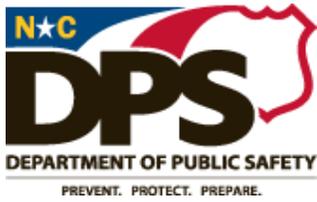
- (1) The Director of Behavioral Health shall direct the Clinical Programs Manager to develop and provide regular necessary updates to a TDU Operational Manual. This manual shall be made available to all NCDPS prisons staff and shall include guidelines and directives for, at a minimum, the following areas:
 - (A) Eligibility criteria for potential offender participation; primarily, such criteria shall include the presence of SMI or other mental illness and Restrictive Housing placement(s).
 - (B) Screening priorities and procedures for potential TDU placement and accompanying required documentation, including bed utilization goals.



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- (C) Therapeutic program elements including but not limited to core therapeutic program subject matter and materials, programmatic and systemic goals, timeframes for program participation and completion, therapeutic response to offender misconduct, and designation of primary staff responsibilities within a TDU.
 - (D) Criteria for successful completion of or necessary removal from a TDU for any offender.
 - (E) Guidelines and systemic goals for transition planning following successful completion of the TDU program.
 - (F) Staff training on an initial and repeated basis.
- (2) The TDU Psychological Services Coordinator (or designee) shall ensure that all behavioral health treatment elements and bed utilization goals of the TDU Operational Manual are appropriately implemented, including providing direct clinical behavioral health care to offenders.
- (3) The Warden (or designee) shall ensure that Standard Operating Procedures outlining specific facility operations and requirements supporting the execution of both the TDU Operational Manual and this policy are developed, implemented, and updated as needed. Appropriate behavioral health staff shall be consulted when necessary. Each TDU SOP must establish, at a minimum:
- (A) The designated cells/beds specifically assigned for TDU use.
 - (B) The designated treatment area(s) available for TDU use.
 - (C) Protocols for TDU offender movement, housing requirements, and property allotments.
 - (D) Expectations and responsibilities of custody staff assigned to TDU, including escort and supervision of TDU offenders as well as presence and participation in appropriate TDU activities.
 - (E) Mandatory use of the DC-556M (Disciplinary Behavioral Health Report) regarding any disciplinary infraction involving a TDU offender. Use of the



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DC-556M shall be enacted in accordance with NCDPS Prisons Policy and Procedure B.0200 Offender Disciplinary Procedures.

- (4) The Warden (or designee), in consultation with the Psychological Program Manager, shall ensure that all staff assigned to a TDU are assigned primary responsibilities within the TDU. Such staff shall only be assigned additional or separate responsibilities under the following circumstances:
 - (A) Emergency or acute crisis.
 - (B) Circumstances under which the additional or separate responsibilities may be executed without interference with or neglect of the staff person's primary TDU responsibilities as described by the TDU Operational Manual.
 - (C) Following the resolution of such circumstances described above, the staff will resume primary responsibilities. This directive does not impact the responsibilities of staff working approved additional time beyond their primary work schedule.
- (5) The Clinical Programs Manager shall provide operational oversight and program evaluation on an ongoing and as-needed basis for all behavioral health practices specific to TDU. The Clinical Programs Manager shall further provide operational oversight of TDU screening, admission, and transition/discharge processes. The Clinical Programs Manager is responsible for the completion and regular update of the TDU Operational Manual.

(b) Operational Requirements

- (1) The TDU Psychological Services Coordinator, with necessary consultation and oversight by appropriate behavioral health management and the Clinical Programs Manager, shall be responsible for screening (including identifying, prioritizing, and assigning) eligible offenders for TDU programming. The IDT may be utilized to assist in such screening practices.
- (2) Screening practices shall be utilized to ensure that cells/beds designated for TDU use shall be occupied as soon as reasonably possible by offenders assigned to or



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selected for assignment to the TDU program, as outlined in the TDU Operational Manual

- (3) TDU is a voluntary therapeutic program; as such, screening practices shall include verification of the offender’s documented interest in the TDU prior to such placement. Once placed on a TDU, offenders must provide written consent on the DC-947-TDU (Informed Consent for Therapeutic Diversion Unit Services) prior to initiating TDU Structured Programming.
- (4) Upon assignment to a TDU, designated offenders are to be housed in the necessary facility/unit with appropriate consultation with the TDU Psychological Services Coordinator (or designee) and facility Warden(s) (or designee).
- (5) All offenders receiving programming in a TDU shall be given an appropriate TDU Activity Assignment in OPUS until successful completion of or necessary removal from the TDU. During such time, offenders are to receive therapeutic treatment and related programming as outlined by the TDU Operational Manual.
- (6) In instances wherein appropriate measures are necessary to ensure the safety and security of any NCDPS facility, the Warden (or designee) shall retain the right and responsibility to enact such measures including placing offenders assigned to TDU in Restrictive Housing as per NCDPS Prisons Policy and Procedure C.0300 Restrictive Housing for Administrative Purposes and/or B.0200 Offender Disciplinary Procedure.
- (7) Unless assigned a status of Restrictive Housing by appropriate staff, no offender in TDU is to be subject to the Conditions of Confinement associated with any status of Restrictive Housing, as per NCDPS Prisons Policy and Procedure C .1200 Conditions of Confinement.
- (8) All offenders having successfully completed the TDU program as outlined by the TDU Operational Manual are to receive 20 days of Meritorious Time (limited to once per incarceration period), as per NCDPS Prisons Policy and Procedure B.0100 Sentence Credits. Offenders participating in the TDU program multiple times during the same incarceration period are not eligible to receive multiple credits of Meritorious Time for TDU completion.



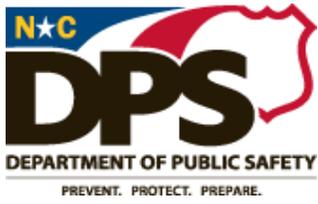
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- (9) Determination of formal discharge or discontinuation of treatment from any TDU shall involve consultation with the TDU Psychological Services Coordinator (or designee) and TDU Treatment Team; further, such instances shall follow guidelines and directives outlined in the TDU Operational Manual. Offenders discharged from TDU who had been placed in TDU in lieu of Restrictive Housing for Control Purposes shall be reviewed for appropriate housing as per NCDPS Prisons Policy and Procedure C.1300 Restrictive Housing for Control Purposes (RHCP).
- (10) In instances wherein bed utilization goals described in the TDU Operational Manual are not met, the behavioral health chain of command (i.e. Psychological Program Manager, Regional Assistant Director of Behavioral Health) and facility management (i.e. Warden [or designee], Unit Manager) are to provide appropriate consultation in efforts to achieve such goals. The Clinical Programs Manager shall serve in oversight of these processes as necessary.

(c) Evaluation

- (1) To ensure effective progress is made towards stated programmatic and systemic goals, a review of TDU operations and services is essential. The Clinical Programs Manager shall maintain responsibility for oversight of collection and analysis of relevant outcome data respective of overall programmatic and systemic goals. This outcome data is to include, at a minimum:
 - (A) Appropriate pre- and post- assessment data. Such assessment shall be administered in accordance with procedures outlined by the TDU Operational Manual.
 - (B) Appropriate internal NCDPS data respective of offender conduct including but not limited to violent, self-injurious, and suicidal behavior.
- (2) The Clinical Programs Manager will provide annual written reports on the Therapeutic Diversion Units to the Director of Behavioral Health. Based on applicable findings from appropriate analyses, the Clinical Programs Manager, in consultation with the Deputy Director of Behavioral Health and Director of Behavioral Health, may implement systemic program amendments.



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Todd E. Ishee
Commissioner of Prisons

07/20/20
Date