



IDAHO DEPARTMENT OF CORRECTION

To promote a safer Idaho by reducing recidivism

C. L. "BUTCH" OTTER
Governor

KEVIN H. KEMPF
Director

Memo

To: All IDOC Facility Staff
From: Jessyca Tyler, Dietary Services Manager
Date: July 08, 2016
Re: SOP 404.02.01.003

Revisions have been made to SOP 404.02.01.003, *Diets for Inmates: Selective, Medical, Special Provision, and Infirmary*. Included in the revisions is the addition of a new selective diet, "Common Fare". Although this SOP is effective August 1, 2016, the implementation of the menu at each facility will occur in phases, to allow for purchasing, delivery, and inventorying of the food items and equipment necessary for the menu. The *estimated* timeline for implementation at each facility is:

August 1, 2016 – ISCI
September 1, 2016 – ICIO, PWCC, SBWCC
October 1, 2016 – NICI, SICI, ISCC, SAWC
November 1, 2016 – NCRC, TVCRC, EBCRC, IFCRC, IMSI

As materials are received and distributed to the facilities, I will work with the food service staff and administration at each location to finalize the implementation dates. We will issue a memo to inmates at each facility individually when the menu is available at that specific institution.

Please direct any related questions or concerns to the on-site food service supervisor or myself.

Thank you.

JT

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**Jeff Zmuda, chief of the prisons division approved this document on
07/08/2016.**

Open to the public: Yes

SCOPE

This SOP applies to inmates **and** all staff members working in IDOC-operated correctional facilities and community reentry centers (CRCs). (Hereinafter, correctional facilities and CRCs are referred to as correctional facilities except where a process is specific to only a prison or CRC.) Nothing in this SOP shall be construed to relieve the contract medical provider(s) of any obligation and/or responsibility stipulated in respective contractual agreements.

Revision Summary
Revision date (08/01/2016) Version 5.0 : Section 1.0 removed the “Diet Condiments” selective diet option and added a “Common Fare” diet option. Updated language throughout for clarity. Previous revision date: 05/20/2015

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BOARD OF CORRECTION IDAPA RULE NUMBER

None

POLICY CONTROL NUMBER 404

Food Service

PURPOSE

The purpose of this standard operating procedure (SOP) is to establish guidelines and processes for selective and medical diets for the inmate population.

RESPONSIBILITY

Facility Head

Responsible for ensuring that facility food service authorities adhere to the guidelines, standards, and procedures provided herein; and providing the final decision regarding selective diet violations and suspending diet privileges due to selective diet non-compliance

Facility Food Service Authority

Responsible for daily preparation and provision of selective and medical diets to inmates, in accordance with the guidance provided herein.

Facility Health Authority

Responsible for evaluating inmate dietary needs and ordering medically-prescribed diets when those needs cannot be met by a selective diet.

Regional Health Manager

Responsible for ensuring that facility health authorities adhere to the guidelines, standards, and procedures provided herein.

Regional Medical Director

Responsible for evaluating and providing the final decision regarding *Special Provision Authorization* orders and medical diet violations.

Dietary Services Manager

Responsible for monitoring and auditing the selective and medical diet process, providing menus as needed to fulfill selective and medical diets, creating and updating (as necessary) all forms referred to in this SOP, and providing training associated with this SOP to IDOC staff.

STANDARD PROCEDURES

1. Selective Diet Options

The IDOC offers a “mainline” menu, which provides a variety of foods and the nutrients needed by the average adult to maintain health. All inmates receive the mainline menu unless they follow the appropriate steps to participate in a selective diet.

The selective diet program provides inmates with dietary options that meet many medical, religious, and lifestyle dietary needs. The following selective diets are available to male and female inmates housed in IDOC-operated facilities:

- **Healthy Choice Diet:** A diet reduced in calories, fat, sodium, and sugar

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- **Non-pork diet:** A menu that provides pork-free alternatives for food items containing pork
- **Lacto-ovo Vegetarian Diet:** A vegetarian diet that includes dairy items and eggs
- **Vegan Diet:** A vegetarian diet containing no animal products
- **Common Fare:** A diet comprised of vegan food items plus eggs, and/or dairy, and/or kosher meats, as well as cooking and serving procedures that maintain separation of dairy from meat and common fare foods from non-common fare foods

Standards for Common Fare Diet

The IDOC follows these procedures when preparing and serving the common fare selective diet option:

1. The IDOC common fare diet contains no pork or pork by-products.
2. Meats served as part of the common fare menu are purchased in fully cooked, ready-to-eat form and certified Kosher.
3. The common fare diet includes fruits and vegetables daily.
4. Meals are either vegan (containing no animal products), or a combination of meat and other food groups excluding dairy, or a combination of dairy and other food groups excluding meat.
5. If dairy is included on the common fare menu, it is served as ready-to-eat, individually-wrapped, and single-serve.
6. Each facility is equipped with a supply of pots, pans, utensils, and serving ware that is clearly identifiable and strictly used for preparation of common fare diet foods.

2. Requesting a Selective Diet

To effectively manage food service in a correctional facility, it is crucial that the facility food service authority plan, order for, and prepare enough meals to meet the needs of the inmate population. To ensure that the proper amount of food is available, the facility food service authority must know how many inmates eat from each menu type.

To participate in a selective diet, inmates must complete a *Request for a Selective Diet* form. The *Request for a Selective Diet* form must be received by food service staff on or before the 25th of the month preceding the requested participation month. Any variations in these requirements must be approved in writing for a specific inmate by the facility head, **or** the inmate must have received a medical diet order (see section 4) that supersedes the selective diet sign-up process.

Selective diet requests are valid only for one calendar month per request and are not automatically renewed. The sign-up process must be completed for each month an inmate wishes to participate in a selective diet.

Inmates with a medical diet order, except for orders for diabetic snacks and modified consistency meals, are not permitted to participate in a selective diet. Any exception to this must be addressed through the special provision diet process (see section 4).

Inmates can choose one selective diet option, in lieu of the mainline diet, using the following process steps:

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Functional Roles and Responsibilities	Step	Tasks
Inmate	1	If deciding to participate in one of the selective diet options next month: <ul style="list-style-type: none"> • Complete a <i>Request for a Selective Diet</i> form. • On or before the 25th day of the current month, submit the form to a staff member who will sign and forward the form to food services.
Facility Food Service Authority	2	Confirm that the inmate has no restrictions such as a medical diet authorization or a facility restriction due to selective diet non-compliance that would prevent the inmate's participation in the selective diet process. If applicable, document on the form any conflict that excludes the inmate from participation.
Facility Food Service Authority	3	By the last day of the current month, enter in the CIS the inmate's selective diet choice for the following month.
Facility Food Service Authority	4	Sign and send a copy of the completed <i>Request for a Selective Diet</i> form to the inmate.
Facility Food Service Authority	5	Prior to the first day of each month, print your facility's selective diet authorization list from the CIS and share with food service staff for meal planning and production.
Facility Food Service Authority	6	Daily, provide the selective diet meals to inmates who are participating in a selective diet in accordance with this SOP.

3. Selective Diet Non-Compliance

Inmates who choose a selective diet commit to receiving only the meals provided by the chosen selective diet menu for the full one-month participation period that they have signed up for. Inmates are expected to partake in their selective diet meals on a regular basis. Inmates who (a) miss more than 25% of their selective diet meals within the one-month sign-up period, or (b) eat any meals that are not part of their selective diet, including eating from the mainline or partaking in any type of diet meal other than what they have selected, will not be allowed to participate in the selective diet program for the remainder of the month and will be restricted from participation for the next two sign-up periods. Such diet termination is not punitive; rather, it is based on the penological objective of promoting institutional safety, security, discipline, and order.

Use the following steps for selective diet non-compliance reporting and discontinuation. If the inmate is in disagreement with the final decision, the inmate may file a grievance in accordance with SOP 316.02.01.001, *Grievance and Informal Resolution Procedure for Inmates*.

Functional Roles and Responsibilities	Step	Tasks
Facility Food Service Authority	1	Through CIS documentation or paper logs, monitor inmates' compliance to their chosen selective diet option.

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Functional Roles and Responsibilities	Step	Tasks
Facility Food Service Authority	2	<p>For any inmate who misses more than 25% of his chosen selective diet meals <u>or</u> willfully eats foods from a menu other than the chosen selective diet menu:</p> <ul style="list-style-type: none"> • Complete the <i>Notice of Diet Non-compliance</i> form and provide a copy to the inmate. • Document non-compliance and discontinuation of the selective diet option in the CIS.
Facility Head	3	<ul style="list-style-type: none"> • If requested, review the diet discontinuation order issued by the facility food service authority to determine whether non-compliance status is warranted. <p>Address with the facility food service authority any discrepancies found that are related to discontinuing the inmate's selective diet participation.</p>

Further, an inmate may wish to terminate his selective diet participation voluntarily. In order to do so, the inmate must notify the facility food service authority by completing the appropriate sections of the *Request for a Selective Diet* form and submitting the form to a staff member for signature. Within 48 hours of receipt of the request for diet termination, the facility food service authority will begin providing mainline meals to the inmate.

Voluntary termination of a selective diet will result in only mainline meals being provided to the inmate for the remainder of the month. Mainline meals will continue to be provided to the inmate indefinitely, unless the inmate chooses to opt-in to the selective diet program again during a subsequent sign-up period, in accordance with this SOP.

4. Medical Diet Orders

Medically-necessary dietary needs not met by the mainline menu or a selective diet option must be addressed through a medical diet order. A medical diet may only be ordered by appropriate medical staff, and only when a legitimate medical need exists. Medical diets may only be ordered for the minimum length of time necessary to address an inmate's medical diet needs and must not be in effect for longer than one year. Medical diets requiring a term longer than one year must be renewed annually by the facility health authority.

Table 4-1: Ordering and Implementing a Medical Diet

Functional Roles and Responsibilities	Step	Tasks
Facility Health Authority	1	<p>Complete all sections of the <i>Medical Diet Authorization</i> form. Do not write in dietary needs not specifically addressed by the form (dietary needs not addressed by the <i>Medical Diet Authorization</i> form must be ordered using a Special Provision Authorization form).</p>

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Functional Roles and Responsibilities	Step	Tasks
Facility Health Authority	2	<ul style="list-style-type: none"> Explain to the inmate the dietary provision being ordered, and have the inmate sign the form acknowledging that he has been counseled, that he understands the medical need for the diet, and that he agrees to follow the rules of the diet. File the form in the inmate's medical file. <p>The inmate has the right to refuse a medical diet. See SOP 401.06.03.071, <i>Right to Refuse Treatment</i>, for further information. In the event the inmate exercises this right, attach the completed refusal of treatment paperwork to the Medical Diet Authorization form, and do not continue through the following steps.</p>
Facility Health Authority (or Designee)	3	Within 24 hours of completing the <i>Medical Diet Authorization</i> form, enter the diet information into the medical diet authorization list.
Facility Food Service Authority (or designee)	4	Each evening, in preparation for the next day's meal production, print the medical diet authorization list.
Facility Food Service Authority	5	In accordance with the approved medical diet menus, provide the medical diets ordered on the medical diet authorization list.

Special Provision Medical Diet Orders

A special provision diet is a medical diet order that is made to address a medical need that cannot be met by a selective diet (see section 1) **or** a standard medical diet option. **A Special Provision Authorization must include signed approval from the regional medical director.**

Once approved by the regional medical director, special provision diets must be coordinated through the dietary services manager (located at Central Office) to ensure necessary food supplies and menus are available at the applicable facility. The dietary services manager will then communicate the special provision menu to the facility food service authority. In some instances, when new menus or food items are necessary, special provision diets may take up to 72 hours to implement after they are received by the facility food service authority.

Inmates who indicate they have a medical diet ordered but do not appear on the medical diet authorization list should be referred to the facility health authority for clarification. The food service authority should only provide medical diets as written on the diet authorization list. When prudent, the facility food service authority should contact the facility health authority for immediate clarification for example in the case of an inmate claiming a severe food allergy, with no special provision diet listed.

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Table 4-2: Ordering and Implementing a Special Provision Medical Diet

Functional Roles and Responsibilities	Step	Tasks
Facility Health Authority	1	Complete all pertinent sections of the <i>Special Provision Authorization</i> form and place the original in the inmate's medical file as a pending document.
Facility Health Authority (or Designee)	2	Send the white and yellow copies of the <i>Special Provision Authorization</i> form to the regional medical director. Retain the pink copy in the inmate's file as a pending request.
Regional Health Director		Review the diet request and approve or deny the request (as medically appropriate) in writing on the <i>Special Provision Authorization</i> form.
Regional Health Director (or Designee)	3	Fax or email a copy of the completed form to the IDOC dietary services manager.
Regional Health Director (or Designee)	4	Return the signed form (white copy) to the facility health authority to file in the patient's chart.
Facility Health Authority (or Designee)	5	Enter the diet order onto the medical diet authorization list within 24 hours of receiving the signed, approved diet form.
Dietary Services Manager	6	Provide a menu that meets the specifications of the <i>Special Provision Authorization</i> to the facility food service authority.
Facility Food Service Authority	7	Provide the medical diets ordered on the daily diet authorization list.

Medical Diet Compliance

Inmates are expected to partake in their medical diet meals on a regular basis, and are not allowed to partake in any other type of diet due to the potential to conflict with their ordered medical diet. Due to the medical necessity of a medical diet, inmates who (a) miss more than three meals within a 30-day period, or (b) eat meals that are not part of their medical diet, must be reported to the facility health authority by the facility food service authority.

Inmates who are identified as non-compliant as evidenced through CIS documentation or by observation may have their medical diet discontinued by the regional medical director.

If the inmate is in disagreement with the final decision, the inmate may file a grievance in accordance with SOP 316.02.01.001, *Grievance and Informal Resolution Procedure for Inmates*.

Table 4-3: Medical Diet Compliance, Reporting, and Discontinuation

Functional Roles and Responsibilities	Step	Tasks
Facility Food Service Authority	1	Through CIS documentation or paper logs, monitor inmate compliance to their medically-ordered diet.

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Functional Roles and Responsibilities	Step	Tasks
Facility Food Service Authority	2	<p>For any inmate who misses more than three medical diet meals within a 30-day period <u>or</u> eats a meal that is not part of his medically prescribed diet:</p> <ul style="list-style-type: none"> • Complete the top portion of the <i>Notice to Provider of Medical Diet Non-Compliance</i> form, and forward the yellow copy to the facility health authority and the pink copy to the inmate. • In the CIS, document non-compliance and information regarding communication sent to the facility health authority. • Due to the sensitive nature of medical diet needs, in the case of non-compliance, food service continues to provide the medical diet as ordered, unless the regional medical director has discontinued the order.
Facility Health Authority	3	<p>On a weekly basis:</p> <ul style="list-style-type: none"> • Review all <i>Notice to Provider of Medical Diet Non-Compliance</i> forms received. Discuss with the facility food service authority if further information is needed. • Schedule non-compliant inmates for one-on-one diet counseling. • If requesting that the diet order be discontinued, forward a copy of the completed <i>Notice to Provider of Medical Diet Non-Compliance</i> form to the regional medical director for review.
Regional Medical Director	4	<p>If a medical diet order is requested to be discontinued due to non-compliance, review the documentation. Provide the final diet decision by completing the bottom portion of the <i>Notice to Provider of Medical Diet Non-Compliance</i> form. Forward the completed form to the facility health authority.</p>
Facility Health Authority (or Designee)	5	<p>If a diet order is to be discontinued, update the medical diet authorization list within 24 hours of receiving the <i>Notice to Provider of Medical Diet Non-Compliance</i> form signed by the regional medical director.</p>

Renewal of an Expired Medical Diet

It is the inmate's responsibility to seek renewal of an expired medical diet, including special provision authorizations.

5. Infirmary Diets

Diet orders for inmates housed in the infirmary for fewer than 30 days are temporary and do not require a *Medical Diet Authorization* form to be submitted. The facility health authority (or designee) must communicate infirmary diet needs electronically each day to facility food service staff members. Infirmary diets may be from the selective diet options (see section 1) or a medical diet order (see section 4).

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Inmates in long-term infirmary care (more than 30 days) are allowed to participate in the selective diet program or may be ordered a medical diet as needed. Participation in either diet option must be in accordance with section 2 **or** section 4, as applicable.

6. Emergency Medical Meals

An emergency medical meal is a meal that, if not provided promptly, poses a serious health risk to the inmate.

Emergency medical meal needs must be communicated by the facility health authority to the facility shift commander. The facility shift commander must in turn communicate the emergency meal requirement to the facility food service authority. The facility food service authority provides the requested meal using available food items.

Within 24 hours of the initial request for an emergency medical meal, the facility health authority must follow the steps in Table 4-1: Ordering and Implementing a Medical Diet, if the dietary need extends beyond 24 hours.

5. Dietary Options: During Intake

During intake, inmates being processed through the reception and diagnostic unit (RDU) will be allowed to sign-up for a selective diet (see section 1) for the remainder of the month. In addition, those inmates who enter IDOC facilities after the 25th day of the current month will be allowed to sign up for a selective diet for the next month (see section 2).

6. Inmate Moves

Selective Diets

In the event an inmate moves from one living unit to another or from one facility to another, the receiving unit or facility must honor any current selective diet authorization for the remainder of the month.

To receive the selective diet for the remainder of the month, the inmate must present the most recent copy of his approved *Request for a Selective Diet* to the receiving facility's food service authority.

Medical Diets

A medical diet order, including special provision authorizations, (see section 4) must be continued if an inmate moves from one living unit to another or from one facility to another.

When an inmate is moved from one IDOC facility to another, the facility health authority at the receiving facility should evaluate the inmate's dietary needs to determine whether the ordered diet is still appropriate for meeting the inmate's medical needs.

Disciplinary Moves

Inmates do not have their selective diet or medical diet revoked due to a disciplinary move, except for those meals provided in accordance with SOP 404.02.01.002, *Alternative Meal Procedures for Restrictive Housing Inmates*.

REFERENCES

Request for a Selective Diet (Example)

Notice of Diet Non-compliance (Example)

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Notice to Providers of Medical Diet Non-compliance (Example)

Medical Diet Authorization (medical provider form)

Special Provision Authorization (medical provider form)

National Commission on Correctional Health Care (NCCHC), *Standards for Health Services in Prisons*, Standard P-F-02, Medical Diets

Standard Operating Procedure 316.02.01.001, *Grievance and Informal Resolution Procedure for Inmates*

Standard Operating Procedure 401.06.03.071, *Right to Refuse Treatment*

SOP 404.02.01.002, *Alternative Meal Procedures for Restrictive Housing Inmates*

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