

 <p>Massachusetts Department Of Correction</p> <h1>POLICY</h1>	Effective Date	Responsible Division Policy Development and Compliance Unit
	9/23/2021	
	Annual Review Date	
	10/23/2021	
Policy Name	M.G.L. Reference: Chapter 124, § 1 (c) and (q); M.G.L., Chapter 111, Section 21; 105 CMR 451; 105 CMR 590; 240 CMR 8.00	
<p>103 DOC 750 HYGIENE STANDARDS</p>	DOC Policy Reference: 103 DOC 401; 103 CMR 403 SOP; 103 DOC 511; 103 DOC 730	
	ACA/PREA Standards: 4-ACRS-1A-02; 4-ACRS-1A-03; 4-ACRS-1A-04; 4-ACRS-1A-05; 5-ACI-5D-01; 5-ACI-5D-14; 5-ACI-5D-15; 5-ACI-6E-05; 5-ACI-7A-07; 2-CO-2A-01; 2-CO-2A-02; 2-CO-4D-01	
Attachments Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Inmate Library Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Applicability: Staff
Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Location: DOC Central Policy File Institution/Superintendent Policy File	
<p>PURPOSE: The purpose of this policy is to establish department of correction policy regarding department of public health regulations 105 CMR 451 "Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities," and other jurisdictional authority regulations relative to health, sanitation and safety.</p> <p>RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY: Director of the Policy Development and Compliance Unit Superintendents</p> <p>CANCELLATION: This policy cancels all previous department policy statements, bulletins, directives, orders, notices, rules and regulations regarding planning which are inconsistent with this policy.</p> <p>SEVERABILITY CLAUSE: If any part of this policy is for any reason held to be in excess of the authority of the commissioner, such decision will not affect any other part of this policy.</p>		

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750.01

GENERAL POLICY

In accordance with M.G.L., Chapter 111, Section 21, the Department of Correction shall enforce the Department of Public Health's (D.P.H.) *Minimum Health and Sanitation Standards and Inspection Procedures for Correctional Facilities*: 105 CMR 451 at all state correctional institutions. Each institution Superintendent shall read and become familiar with D.P.H. 105 CMR 451 and shall also:

1. Maintain at least one copy of 105 CMR 451 at their institution.
2. Be responsible for ensuring that all administrative staff with responsibility in this area read and become familiar with 105 CMR 451.
3. Be familiar with and maintain at least one copy of 105 CMR 590 *State Sanitary Code Chapter X: Minimum Sanitation Standards for Food Service Establishments* at their institution.
4. Be familiar with and maintain at least one copy of the "Massachusetts Right-To-Know Law".

750.02

REQUIRED STANDARDS

All correctional institutions shall comply with the Required Minimum Health and Sanitation Standards (Section 451.101 - 451.214 of 105 CMR 451 including:

1. Linen and bedding requirements;
2. Plumbing facilities requirements;
3. Inmate clothing requirements;
4. Recreation;
5. Smoking requirements; and
6. Food storage, preparation and service (105 CMR 590.00)

750.03

RECOMMENDED STANDARDS

All correctional institutions shall, to the extent possible, comply with the recommended D.P.H. Health and Sanitation Standards (Sections 451.320-451.390) of 105 CMR 451.

750.04

ENVIRONMENTAL HEALTH AND SAFETY OFFICER

In accordance with 105 CMR 451, each Superintendent shall designate an employee of the institution as an Environmental Health and Safety Officer (EHSO).

The EHSO shall be qualified for the task either by their credentials or by attending training established for that purpose.

The EHSO shall:

1. Conduct a comprehensive and thorough monthly inspection of the entire facility to include all living areas, food service areas, and workshop areas; additionally,

A corrective action plan shall be established tracking all discrepancies cited from month to month indicating status, date completed, and staff responsible for completion.

2. Train other institutional staff to perform weekly health and sanitation inspections;
3. Prepare a response to DPH reports and others outlining corrective plans; and,
4. Develop and implement a procedure to comply with the Massachusetts Right-To-Know Law.
5. Subsequent to any staff or inmate injury that is unrelated to an inmate incident (i.e. fight, use of force, extraction, etc.), the EHSO shall conduct an assessment of the area to ensure there are no environmental or safety hazards present that may contribute to future injuries. Upon completion of such review, the EHSO shall submit a written report to the Superintendent for appropriate action.

750.05

INSTITUTIONAL ACTIVITIES

Each Superintendent shall develop written procedures describing the physical plant inspection process followed to maintain compliance with Public Health Regulations, 105 CMR 451.

Such procedures shall include provisions for:

1. Weekly health and sanitation inspections of all institutional areas by qualified institutional staff;

2. A comprehensive and thorough monthly inspection of the institution by the EHSO (750.04) (1); and
3. The forms used to document the weekly and monthly inspections.

750.06

INSPECTIONS BY DEPARTMENT OF PUBLIC HEALTH AND OTHER QUALIFIED INDIVIDUALS

1. It is the responsibility of the Superintendent to ensure, at a minimum, annual inspections by state and/or local sanitation and health officials or other qualified individuals.
2. If more than twelve (12) months elapse since the last DPH inspection, the Superintendent shall contact DPH in writing and request such an inspection.
3. DPH may inspect any facility without giving prior notice to employees at the facility, provided that they shall notify the Superintendent upon their arrival at the facility.

For the purpose of this policy, a qualified individual shall be defined as an individual who has received training in, and is familiar with, the applicable health, safety, and sanitation codes, regulations, and inspection techniques.

750.07

IMPLEMENTING INSPECTION RECOMMENDATIONS

Within ten (10) working days of receiving the DPH inspection report, or inspection reports authored by any state and/or local sanitation and health officials or other qualified individuals, the Superintendent shall transmit a written plan for correction of each deficiency or other conditions noted to the inspection report author. The plan shall contain the specific corrective steps, a timetable for such steps, and a date by which correction will be achieved, and identify the staff responsible for oversight.

750.08

HOUSEKEEPING PRACTICES

Each Superintendent shall develop written procedures governing housekeeping practices for every area of the institution, to include, at a minimum, the following:

- cleaning schedule;
- specific assignments of duties;
- instructions for cleaning;
- proper storage and disposal of waste, to include all types of solid waste (medical, automotive, garbage, trash, etc.), in accordance

with regulatory authorities' requirements for permits and manifests; and

- instructions for acquisition, utilization, and storage of cleaning supplies (in accordance with 103 DOC 730, *Fire Prevention and Safety*, 730.13, Flammable, Caustic, Toxic Materials) and equipment.

Housekeeping practices for the Inmate Visiting Rooms and Barbershops shall state that trash and hair clippings from these areas shall be disposed of at the end of the shift, outside of the facility, by a staff member.

750.09

CONTROL OF VERMIN AND PESTS

1. Each Superintendent shall develop written procedures describing and directing the practices followed to control vermin and pests. An integrated pest management approach shall be taken.
2. Extermination shall be undertaken in a manner which is not hazardous to the health of inmates or employees and only by a person certified or licensed to apply pesticides.

750.10

HAIR CARE

Each Superintendent shall develop written procedures to ensure that hair care services for inmates comply with the applicable health requirements found in 240 CMR 8.00, *Barber Regulations*.

In addition to specifying how the facility shall comply with 240 CMR 8.00, such procedures shall include the following:

1. Barbering services shall be provided by an individual skilled in haircutting;
2. A schedule for such services shall be developed and posted in prominent locations;
3. Identification of the area used for hair care services. Large facilities should designate a room for hair care services; small facilities may use a multipurpose room. The area used for hair care services must permit observations by staff; and
4. Tools and chemicals used are subject to the controls required by 103 DOC 511, *Institution Tool Control*, and 103 DOC 730, *Fire Prevention and Safety Procedures*.

750.11

PERSONAL HYGIENE

1. New commitments and new admissions are provided with articles necessary for the maintenance of proper personal hygiene in accordance with 103 DOC 401, *Booking and Admission*, 401.01.
2. Each Superintendent shall develop procedures to ensure that, at a minimum, one roll of toilet tissue and one bar of soap is issued per week to inmates, as needed or upon request. Procedures shall also include a mechanism for inmates with special circumstances (e.g., medical issues, theft, etc.) to request additional toilet tissue or soap in the interim period before the next allotment.
3. Hygiene articles are also available for purchase through the institutional canteen. Indigent inmates may request hygiene articles, other than toilet tissue and bar soap, through a staff person designated by the Superintendent.
4. Inmates shall be enabled to shower, perform bodily functions, and change clothing without non-medical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. All general population inmates shall be permitted to shower at least three (3) times per week.
5. Superintendents shall develop procedures to ensure inmates identified as Gender Non-Conforming shall be given the opportunity to shower separately from other inmates.
6. Electric razors shall be the only razor allowed for personal grooming use by inmates housed in all Department of Correction (DOC) medium and maximum security level institutions. Any other type of shaving razors is prohibited. For inmates initially purchasing an electric razor, or in need or purchasing a replacement, frozen accounts or disciplinary sanctions resulting in loss of canteen shall be lifted temporarily to allow for the purchase of the electric razor.
7. Retention of electric razors in specialty housing units in DOC medium and maximum security level institutions shall be at the discretion of the Superintendent and outlined in facility procedure. In-cell retention of electric razors shall be prohibited in DOC restrictive housing units (RHU). In these instances, the Superintendent shall develop procedures to ensure that an adequate number of electric razors are on hand to provide inmates the ability to conduct personal grooming. If the system developed does not

utilize a DOC owned electric razor assigned to an inmate for the duration of their stay in a specialty unit/RHU, the electric razor shall be collected and sanitized after each use in accordance with 240 CMR 8.00, *Barber Regulations*. Upon the return of these electric razors after use, an officer shall verify that all parts of the razor are intact and undamaged. Any instances of missing/damaged electric razors or parts may result in disciplinary action.

8. Electric razors that are not the personal property of an inmate (e.g., issued by the DOC to indigent inmates, etc.) shall only be utilized for the shaving of facial hair.
9. Electric razors shall be made available for purchase in canteen and processed in accordance with Standard Operating Procedure to 103 CMR 403, *Inmate Property*. Institution procedures shall include a system for the purchase of replacement electric razor heads if necessary and applicable and include, but not limited to the following:
 - a. Inmates ordering replacement razor heads must turn in a used razor head when picking up their canteen order. A replacement razor head **will not** be issued unless a used razor head is turned in to the canteen staff and it is documented on the canteen order form.
 - b. The canteen officer will be responsible for monitoring the distribution and collection of all new and used replacement razor heads. The canteen officer will ensure the used razor heads are placed in a red bio-hazard bag and disposed of appropriately.
10. Written procedures shall be developed for the issuance of electric razors for indigent inmates upon request. The procedures shall include, but not be limited to, the following:
 - a. The request shall be forwarded to the institution treasurer for verification that the inmate is indigent.
 - b. Procedures shall include systems for the issuance, return, and/or damage of loaner electric razors for indigent inmates.
 - c. Loaner razors returned to the property department shall be immediately sanitized in accordance with the applicable

health requirements in accordance with 240 CMR 8.00, *Barber Regulations*.

11. Superintendents shall develop procedures to ensure that staff and inmate workers conducting cleaning of electric razors are trained in accordance with 240 CMR 8.00, *Barber Regulations*.

In the event of a department wide loss of computer infrastructure; a contingency plan for the Continuity of Operations Plan (COOP) is located in the ACA/Policy Coordinator's Office.