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# Program Statement

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OPI: HSD/HSS  
NUMBER: P6541.02  
DATE: 11/17/2004  
SUBJECT: Over-the-Counter Medications

1. [PURPOSE AND SCOPE § 549.30. This subpart establishes procedures governing inmate access to Over-The-Counter (OTC) medications for all inmates except those in inpatient status at Federal Medical Centers. Inmates may buy OTC medications which are available at the commissary. Inmates may also obtain OTC medications at sick call if the inmate does not already have the OTC medication and:

- a. Health services staff determine that the inmate has an immediate medical need which must be addressed before his or her regularly scheduled commissary visit; or
- b. The inmate is without funds.]

This Program Statement establishes a program allowing inmates improved access to Over-the-Counter (OTC) Medications by making them available for sale in the commissary and improves the allocation of medical resources so that inmates' medical needs will continue to be met.

2. PROGRAM OBJECTIVES. The expected results of this program are:

- a. Inmates will have access to Over-the-Counter (OTC) medications in the institution commissary.
- b. Personal resources will be used by inmates to obtain OTC medications that are indicated for cosmetic and general hygiene issues or symptoms of minor medical ailments.
- c. Health Services resources will be better used during inmate triage/sick-call.

3. SUMMARY OF CHANGES. The change, authorized under new rules language now reads, "An inmate without funds is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.

**4. DIRECTIVES AFFECTED**

**a. Directive Rescinded**

P6541.01 Over-the-Counter Medications (9/10/2003)

**b. Directives Referenced**

P4500.04 Trust Fund/Warehouse/Laundry Manual (6/16/97)  
P6000.05 Health Services Manual (9/15/96)

**5. STANDARDS REFERENCED**

a. American Correctional Association 4<sup>th</sup> Edition Standards for Adult Correctional Institutions: 4-4379

b. American Correctional Association Standards for Adult Local Detention Facilities: 3-ALDF-4E-17M

**6. REFERRING INMATES FOR OTC MEDICATIONS.** All Bureau institutions will stock at least 25 OTC medications as referenced in the Trust Fund/Warehouse/Laundry Manual. The Administration Division, Trust Fund Branch and the Health Services Division's Medical Director will determine which OTC medications and other medically related items (e.g., dietary/herbal/natural products) will be approved or not approved for sale in the commissary.

The commissary will provide a current list of all OTC medication stocked in the commissary to the Health Services Administrator (HSA). The HSA will ensure the list of OTC medications is distributed to all health care providers.

- The HSA/Pharmacist will be a member of the local commissary committee to ensure the local commissary medical items follow the restrictions of the Trust Fund/Warehouse/Laundry Manual and that medical related commissary items are appropriate for the medical conditions of the inmates housed at that facility.

During institution triage/sick call, medical staff will refer inmates to the commissary in response to complaints related to cosmetic and general hygiene issues or symptoms of minor medical ailments.

Examples of these complaints are:

- Occasional constipation
- Seasonal allergies
- GI upset
- Dandruff
- Uncomplicated Athlete's Foot
- Acne

- Vitiligo
- Chapped Lips
- Dry Hands
- Muscle Aches from Exertion

Institutions will have a local procedure providing inmates access to commissary on other than their assigned commissary day to obtain OTC medication. A local procedure will be developed to provide inmates housed in Special Housing Units access to OTC medication from the Pharmacy.

**7. PAYMENT FOR OTC MEDICATIONS.** Inmates will purchase OTC medications from the commissary with their personal funds. However, inmates will be given OTC medications at the institution pharmacy if they are determined to be without funds (indigent). Refer to Section 7.

The Computer Services Manager will establish a Browser-based Application for Inmate Account Inquiry for health services staff to access individual inmate account record information within the Trust Fund Accounting and Commissary System (TRUFACS).

Institutions that have not yet implemented TRUFACS will establish a local procedure to distribute a weekly listing of inmates without funds (indigent inmates) to the HSA. The HSA will ensure the list is distributed to all health care providers.

**8. [INMATES WITHOUT FUNDS § 549.31**

- a. The Warden must establish procedures to provide up to two OTC medications per week for an inmate without funds. An inmate without funds is an inmate who has not had a trust fund account balance of \$6.00 for the past 30 days.
- b. An inmate without funds may obtain additional OTC medications at sick call if health services staff determine that he/she has an immediate medical need which must be addressed before the inmate may again apply for OTC medications under this section.
- c. To prevent abuses of this section (e.g., inmate shows a pattern of depleting his or her commissary funds before requesting OTC medications), the Warden may impose restrictions on the provisions of this section.]

**9. PROCEDURES FOR INMATES UNABLE TO AFFORD OTC MEDICATIONS.**

All inmates, including those without funds (indigent), will have the same opportunity to obtain OTC medications (once weekly).

Each institution will establish one day per week for this purpose.

Inmates without funds (indigent inmates) will be supplied with OTC medication at the institution pharmacy (Attachment A). Inmates who wish to obtain OTC medications, must come to the institution pharmacy at the first pill line on the designated day and turn in the request.

One request per inmate per week will be accepted.

- The inmate will select no more than two items on the Inmate Over-the-Counter Medications Request form (BP-S788). If he or she needs more than two items, he or she must attend triage/sick call.
- When the pharmacy staff receives the form, they will verify the requesting inmate is without funds (indigent) by reviewing the TRUFACS browser based application report for inmates without funds (indigent inmates).
- Pharmacy staff will maintain a record of the OTC item(s) issued to a given inmate for 30 days (e.g., maintain the BP-S788 form in a 30 day suspense file).

Attachment A lists medications used to treat or alleviate common symptoms safely without the need for a medical examination, consistent with self-treatment practices in the community.

In addition, other medications and medically-related items are stocked in the commissary but do not appear on Attachment A. These items are stocked in the commissary for the inmates' convenience but are not considered medically necessary items which must be made available to inmates without funds (indigent inmates).

If an inmate without funds (indigent inmate) desires an OTC medication or medically-related item which the commissary stocks, but is not listed on the BP-S788, the inmate may access triage/sick call through the usual procedures and request the item. The health care provider will determine the request's medical appropriateness and may issue an appropriate quantity of the item to the inmate.

**10. SPECIAL PROCEDURES FOR FEDERAL MEDICAL CENTERS.** Inmates classified as outpatient or general population at Federal Medical Centers will participate in this program.

/s/  
[REDACTED]

Director

LIST OF MEDICALLY-NECESSARY OTC MEDICATIONS THAT WILL BE SUPPLIED  
AT THE PHARMACY FOR INMATES WITHOUT FUNDS (INDIGENT INMATES)  
IN THEIR TRUST FUND ACCOUNT

<b>MEDICATION</b>	<b>WEEKLY AMOUNT</b>	<b>MONTHLY AMOUNT</b>
Acetaminophen 5gr Tablets	24	100
Aspirin 5gr Tablets	24	100
Chlorpheniramine 4mg Tablets	24	100
Hydrocortisone Cream 0.5%		1 tube
Mylanta II/Maalox Plus Liquid	5 oz	12 oz
Milk of Magnesia Liquid		12 oz
Psyllium Muciloid Powder SF		14 oz
Selenium 1% Shampoo		4 oz
Simethicone 40mg Tablets	24	100
Tolnaftate 1% Cream		15 gm