

Search of Inpatient Rooms and/or Belongings

1. Introduction

The Canadian Charter of Rights and Freedoms guarantees the protection of people against *unreasonable* search and seizure. While a patient has the right to expect that staff will respect his/her privacy, Providence Health Care (PHC) has an obligation to ensure the safety of all patients, visitors and staff.

1.1. Purpose

This policy guides decision making related to how decisions are made to balance the rights of patients and the obligations of PHC.

1.2. Scope

This policy applies to all inpatients at Mount St. Joseph's Hospital and St. Paul's Hospital.

1.3. Exceptions

This policy does not govern probable cause searches conducted by law enforcement officers in connection with a criminal investigation. This policy also does not govern the release of personal information/belongings to police and other law enforcement agencies. Refer to [Release of Information and Belongings to Law Enforcement](#) policy.

2. Policy

In order to respect the rights of our patients, a patient's belongings and room are not searched unless there are "reasonable grounds" to believe the search is necessary to support a safe environment for the delivery of patient care, or the patient is being admitted to a program where a search is part of the admission protocol to which the patient has understood and agreed. If a search is deemed necessary staff must use the least intrusive and most effective means available to meet the safety, security and medical needs of patients, visitors and staff.

2.1. Guiding Principles

Provide patients and family member education at admission and as necessary, regarding what items are not allowed on the unit for safety reasons (medications, weapons, etc.) and emphasize that these items will be confiscated if not voluntarily turned over. In Mental Health Units, patients are not permitted to have illicit substances, pharmaceutical alternatives or drug paraphernalia unless indicated by the MRP. Determine if there are "reasonable grounds" to establish the validity of a search. Reasonable grounds means there is reliable information that a patient possesses or is reasonably believed to possess prohibited property which poses a risk to the safety of the patient or other patients, staff or visitors. If in doubt that reasonable grounds exist, consult the relevant leader.

Prohibited property **may** include:

- Alcohol that is not prescribed via the Managed Alcohol Program
- Prescription medications that are not pharmaceutical alternatives to illicit substances
- Un-capped sharps
- Weapons, firearms, ammunition and/or other dangerous items
- Hospital property or property belonging to others
- Other items which may present a danger to the life, health and/or safety of the patient or others

Unless there is a specific unit procedure to the contrary (e.g. Mental Health), routine searches of patients' rooms and belongings for suspected prohibited properties are **not** permitted.

Any search of a patient's room or belongings is conducted with due regard for the safety and privacy of the patient, as well as the safety of the staff, patients and visitors. The search is carried out in a calm, discreet manner and, if possible, not in the presence of other patients and/or visitors.

Prior to conducting a search the following steps are taken:

- Assess if there is a potential risk to safety by approaching a patient about the need to conduct a search. If a risk is identified, contact the relevant leader for direction. If no significant risk has been identified, proceed
- Consider whether it is necessary to contact Protection Services and request their presence during the search
- Advise the patient of the need for a search and obtain verbal consent to conduct the search
- Give the patient an opportunity to relinquish any prohibited property before a search is conducted. Invite the patient to be present during the search of belongings or room. If the patient is unable to give consent (e.g. unconscious, sedated, or confused) and no significant risk is perceived, conduct the search
- Whenever possible, locate a second health care provider to witness the search
- Notify the most responsible physician and the relevant leader that a search has been conducted.

If the patient objects to the search the health care provider contacts the most responsible physician and/or the relevant leader to evaluate the risk and consider options which may include:

- Discharge if the patient is deemed medically stable
- A search without the patient's consent if the patient needs ongoing medical treatment and the risk of prohibited property is considered significant. Protection Services will be called to provide support and possibly to contact the Vancouver Police Department, while the health care providers conduct the search.

2.2. Documentation

The health care provider documents the search in the patient's medical record and in the Patient Safety Learning System. Documentation should include:

- the reason for the search, that is, the reliable information that the patient possessed or was reasonably believed to possess prohibited property,
- whether or not consent was obtained,
- who authorized the search in the absence of patient consent,
- names of the individuals involved in the search,
- what was searched,
- what items were removed; and
- how they were held or disposed.

Indicate that no items other than the prohibited property were removed.

3. Responsibilities

3.1. Staff

- Participate in communication with patients and family members concerning prohibited belongings.
- Report concerns to leadership.
- Participate in searches as required.

3.2. Leaders

- Provide support to staff who raise concerns around safety concerns and/or who participate in search process.
- Reinforce messaging around prohibited substances to patients and families.

3.3. Organization

Continue to identify strategies that support a safe environment for staff and patients.

4. Supporting Documents

4.1. Related Policies

[Release of Information and Belongings to Law Enforcement](#)
[Alcohol and Substance Use: Inpatient Care at Mount St. Joseph's and St. Paul's Hospitals](#)
[Philosophy for Care of Patients and Residents with Substance Use](#)
[Violence Prevention in the Workplace](#)

5. Definitions

"Patient belongings" include all of the patient's personal property, including the clothing being worn.

“Reasonable grounds” refers to a belief that is greater than a suspicion, but is not absolute proof. The evidence needs to be sufficient to convince a reasonably fair-minded person that the grounds to the belief are reasonable.

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