

LAC+USC MEDICAL CENTER POLICY

Subject: LAW ENFORCEMENT AGENCY CONTACT WITH PATIENT	Original Issue Date: 11/24/75	Policy # 181
	Supersedes: 11/12/13	Effective Date: 4/11/17
Departments Consulted: Nursing Services Los Angeles County Sheriff's Department (LASD)	Reviewed & Approved by: Attending Staff Association Executive Committee Senior Executive Council	Approved by: Chief Medical Officer Chief Executive Officer

PURPOSE

To establish the parameters, within which law enforcement agency investigations may be conducted, while ensuring that the medical care delivery mission of the LAC+USC Medical Center is not compromised.

POLICY

The primary mission of the LAC+USC Medical Center is provision of medical care. Within this context, it is the goal of the Network to establish a cooperative relationship with law enforcement agencies in the process of investigating crimes in which a patient has direct interest.

In the interest of minimizing disruption of patient care services, and if the patient's condition permits, the Medical Center will attempt to expedite the investigative permits and process and provide privacy for the conduction of interviews during the investigation.

Except for those who are under arrest, patients have a right to refuse interviews and/or photographing by law enforcement agencies. Law enforcement personnel shall be given unobstructed access to patients, unless there is a medical contraindication, so those patients may choose whether or not they wish to speak with officers. The LAC+USC Medical Center is not empowered to impede or curtail law enforcement investigations except where the patient's health is jeopardized, nor does it have authority to influence a patient's decision.

This policy applies to adult and pediatric patients, except for psychiatric patients. (For policy pertaining to psychiatric patients, refer to Section 5328 of the Welfare and Institutions Code or to Psychiatric Service Administration.)

DEFINITIONS

In Custody Patients who are under arrest.

Direct Interest Patients who are victims, suspects, or witnesses to a crime.

Law Enforcement Officer Duly appointed peace officers (valid identification must be shown at time of request.)

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PROCEDURE

- Requests for contact with all adult patients in custody shall be directed to the Los Angeles County Sheriff's Department Jail Ward. It should be noted that the Sheriff's jurisdiction over in-custody patients continues even if patients are temporarily located on other patient care units.
- Requests for contact with juvenile patients in custody shall be directed to Central Juvenile Hall.

Patients Not In Custody (Direct Interest)

- Prior to contacting any patient or going into any patient care area, law enforcement personnel must contact the Los Angeles County Sheriff's Department for a *Special Pass* and *Consent of Patient* (Form 664). **Exception:** Officers do not have to report to the LASD station when they wish to interview a patient in the emergency room areas. *Special Pass* and *Consent of Patient* is not required in this instance.

Law Enforcement Officers Responsibility

- The law enforcement officer presents the *Special Pass* and *Consent of Patient* to the attending physician or charge nurse on patient unit and briefly explains the purpose of his or her visit.
- When the patient's health status prohibits interviewing or photographing, obtain an estimated time when interviewing or photographing may be accomplished.
- If the law enforcement officer considers that the patient contact is urgent, and access to the patient has been denied, Network staff shall contact the LASD on duty Watch Sergeant via dispatch @ (323) 226-3333 and facility Administration to mediate the situation.

Responsibilities of Attending Physician or Charge Nurse

- Ascertain that LASD has cleared the law enforcement officer by requesting the *Special Pass* and *Consent of Patient*.
- Assess the patient's condition and determine whether health status would be jeopardized by interviewing or photographing. If so, provide an estimated time when visit may be conducted.

Release of Information

- Only the physician responsible for the patient's care shall discuss the patient's condition with law enforcement personnel and only information of the most general nature shall be provided.

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- Under no circumstances is any part of the patient's medical record to be inspected by law enforcement personnel, nor is any part of the medical record to be provided to law enforcement personnel by an individual other than the custodian of medical records. Disclosure may only be made under the following conditions:
 1. In accordance with a search warrant issued with the appropriate court order; or
 2. Where prior written consent of the patient is secured.

RESPONSIBILITY

Administrators
Los Angeles County Sheriff's Department
Attending Staff
Nursing Staff
All Employees

PROCEDURE DOCUMENTATION

Nursing Services and Education Policy Manual
Los Angeles County Sheriff's Department Manual of Policy and Procedure.

REFERENCES

California Penal Code, Title 12, Section 1524
DHS Policy #154, Assisting Law Enforcement Agencies

REVISION DATES

September 1, 1994; February 11, 1999; April 16, 2002; May 05, 2005; September 25, 2008;
November 12, 2013; April 11, 2017