

# OREGON STATE HOSPITAL

PORTLAND – SALEM

## POLICIES AND PROCEDURES

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SECTION 6: Patient Care

POLICY: 6.017

SUBJECT: Personal Searches

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POINT

PERSON: MICHAEL DURAN

APPROVED: GREG ROBERTS  
SUPERINTENDENT

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### I. POLICY

Oregon State Hospital shall provide a secure environment for patients and staff. The restriction or elimination of prohibited items on units is important in maintaining this security. Internal Examinations are considered intrusive, and should only be conducted with appropriate justification and clinical review.

### II. DEFINITIONS

- A. "Frisk" means to search a person for a prohibited item, running the hands over the clothed person, inspecting pockets and cuffs, and other items in his or her possession.
- B. "Internal Examination" means a digital or visual inspection of body cavities for the purpose of detecting concealed prohibited items.
- C. "Acute Milieu Emergency" means the behavior of multiple patients shall likely result in physical harm to patients or others as per OSH policy 6.039.
- D. "Prohibited Item" means:
  - 1. Alcoholic beverages, personal oral hygiene items that contain alcohol, controlled substances, tobacco;
  - 2. Prescription and non-prescription drugs or medications except by physician's order;
  - 3. Any items which could reasonably be used as a weapon or instrument of escape;

4. Any item detrimental to the treatment, health, or safety of the patients on a particular unit which is explicitly prohibited in a notice posted on the unit; and,
  5. Any item detrimental to the treatment of an individual patient which is recorded in the physician's orders section of the patient's chart by the treating physician.
- E. "Reasonable Cause" means that the person has knowledge or notice of facts and circumstances which would lead a person of ordinary care and prudence to have a strong suspicion.
- F. "High Security Area" means those areas at Oregon State Hospital, designated by the Superintendent as locked high security areas that require additional precautions to protect the safety and security of the facility, pursuant to OAR 309-102-0130.
- G. "Skin Search" means a procedure for detecting prohibited items, wherein all of a patient's clothing is removed and inspected, and a visual examination of the patient is conducted.

### III. PROCEDURES

- A. In conducting personal searches of patients, staff shall utilize the least intrusive method available, while ensuring that the safety and security needs of the unit are met. For example, if a suspected prohibited item is metallic, a metal detector should be used in lieu of a skin search.
- B. Every effort must be made to preserve the personal dignity of the patient. Paranoid or sexual fears of the patient must be recognized, as well as the potential for physical assaultiveness, and good judgment used in these instances.
- C. Except for visual inspection of nose, mouth, or ears, without digital intrusion, all internal examination must be conducted by a physician or registered nurse under the supervision of a physician, and only upon authorization of the Superintendent or Chief Medical Officer.
- D. Every staff member assigned to a unit where personal searches may be conducted shall receive training in proper search techniques.

- E. Personal searches, including frisk searches, skin searches, and internal examinations, may be conducted based upon programmatic needs for safety and security. Examples include:
1. Upon admission to a hospital unit;
  2. When a patient returns to a secure unit from a social pass outing or other non-secure environment;
  3. When a patient is transferred from one unit to another;
  4. When staff have reasonable cause to believe that one or more patients are in possession of a prohibited item(s);
  5. During an acute milieu emergency (as per OSH Policy 6.039 – Acute Milieu Emergency policy) in which staff have reasonable cause to believe that there is a prohibited item on the unit authorization must be given by the CMO or CMO designee.
- F. Frisks
1. Frisks are to be conducted by same sex staff except in emergencies where there is a risk of imminent serious injury. Two staff shall be present at all times.
  2. The patient shall be informed that a frisk is to be conducted. The patient shall then be instructed to turn around and raise arms.
  3. Staff are to frisk the patient with hands inspecting all parts of the clothed patient.
  4. Staff must conduct themselves in a professional manner during this procedure and refrain from inappropriate or personal comments to or about the patient.
  5. If a patient refuses to allow a frisk, the staff should immediately discontinue the procedure and request an evaluation by the unit physician or hospital OD. Under no condition should the refusing patient be left unattended by staff until the evaluation is completed. If the patient continues to refuse and the physician has reasonable cause to suspect the presence of contraband, the physician may order the frisk to take place.
- G. Skin Search
1. All skin searches shall require a physician's order.

2. Skin searches shall be conducted by two same sex staff (except physicians and nurses) in a setting which ensures the patient's privacy, comfort, and dignity.
3. The patient shall be instructed to remove all of their clothing.
4. Staff shall visually inspect the patient for the purpose of detecting prohibited items.
5. Clothing shall be carefully examined and returned to the patient for redressing as soon as possible.
6. Staff shall not physically touch the patient during this procedure.
7. Staff must conduct themselves in a professional manner during this procedure and refrain from inappropriate or personal comments to or about the patient.
8. If a patient refuses to allow a skin search, staff shall immediately discontinue the procedure. The patient should be isolated in a secure area; staff should maintain visual contact and request an onsite evaluation by the unit physician or hospital OD. If the patient refuses and the physician has reasonable cause to suspect the presence of a prohibited item, the physician may order additional measures to allow completion of the exam.

H. Internal Examination

1. The patient shall be informed that an internal examination is to be conducted, its purpose, and the procedure to be followed.
2. A physician's order must be obtained prior to conducting an internal examination, and only upon authorization of the Superintendent or Chief Medical Officer.
3. Internal examinations shall be conducted only by a physician or registered nurse in a setting which ensures a patient's privacy, comfort, and dignity.
4. If a patient is required to remove clothing, it shall be returned for redressing when the examination is completed.
5. Staff shall conduct themselves in a professional manner during this procedure.

I. Documentation

In the event a patient refuses a personal search and no later than the end of his or her work shift, the physician who authorized the personal search shall document in the patient's chart the following:

1. The reasons the patient gave for refusing the search;
2. The information which supported the finding of reasonable cause to suspect the presence of contraband;
3. Any medical factors affecting the decision to search;
4. Any less intrusive methods considered and why rejected;
5. The outcome of the search, i.e., contraband discovered or problems incurred.

IV. REFERENCES

Oregon Administrative Rules:  
309-108-000 through 309-108-0020  
309-112-000 through 309-112-0035  
309-102-0130

Replaces OSH Policy and Procedure 6.017, *Personal Searches*, dated 6/20/2006.