




U.S. Immigration  
and Customs  
Enforcement

September 21, 2018

MEMORANDUM FOR: Tae D. Johnson  
Assistant Director, Custody Management Division

THROUGH: Jay M. Brooks  
Deputy Assistant Director, Custody Management Division

FROM: Peter Berg   
SPM Field Office Director

SUBJECT: Pottawattamie County Iowa, Pottawattamie County Jail - Waiver  
Request

Purpose

Provide a waiver for the St. Paul Field Office and Pottawattamie County Jail as it relates to the Dental Care, Standard. I am requesting a waiver to authorize the approval of the 2011 Performance Based National Detention Standards (PBNDS) guidelines, which will allow qualified and trained registered nurses to perform the initial dental screening requirements during the 14-day initial health assessment of all ICE detainees in this facility.

Background:

Currently the Pottawattamie County Jail operates under the September 20, 2000 National Detention Standards (NDS). The NDS, Medical Care III. E specifically states, "An initial dental screening exam should be performed within 14 days of the detainee's arrival. If no on-site dentist is available, the initial dental screening may be performed by a physician, physician's assistant or nurse practitioner".

Discussion:

The PBNDS of 2011, more specifically, standard 4.3 Medical Care, section II, item 15, states, "Each detainee shall receive a comprehensive health assessment, including a physical examination and mental health screening, by a qualified, licensed health care professional no later than 14 days after entering into ICE custody or arrival at the facility. For the purposes of the comprehensive medical examination, a qualified licensed health provider includes the following: physicians, physician assistants, nurses, nurse practitioners or others who by their education, credentials and experience are permitted by law to evaluate and care for patients". This revised language of the 2011 PBNDS is more aligned to the National Commission of Correctional Health Care (NCCHC) guidelines driving industry best practices for correctional medical care and their recommendations pertaining to the 14-day health assessment and who is qualified to perform such tasks.

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Recommendation:

Due to the considerations given above, I recommend authorization of a waiver for the Pottawattamie Jail for the portion of the 2000 NDS Medical Dental Care Standard Section (III)(E) to the PBNDS 2011 standard. Which seems to be more in line with the National Commission of Correctional Health Care (NCCHC).

Date Authorized pmc 11/8/18 Date Not Authorized \_\_\_\_\_  
Date Modified \_\_\_\_\_ Needs more discussion \_\_\_\_\_

*1 HSC concurred w. the waiver on 10/17/18. See e-mail.*