RHODE ISLAND DEPARTMENT OF CORRECTIONS

POLICY AND PROCEDURE

DIRECTOR: Wayne P. Salisbury Jr.

POLICY NUMBER:	EFFECTIVE DATE:	SUBJECT:
18.68-4 DOC	10/01/2025	RIGHT TO REFUSE TREATMENT

LAST REVIEWED:	SECTION:	SUPERSEDES:
10/2025	HEALTH CARE	18.68-3 DOC

AUTHORITY: Rhode Island General Laws (RIGL) § 42-56-10(v), Powers of the director

REFERENCES: NCCHC Standard # J-G-05, Informed Consent and Right to Refuse (important); The most recent version of RIDOC policies 18.65 DOC; Emergency Use of Forced Psychotropic Medications; 18.72 DOC; Inmate Refusal to Take Nutrition; *Laurie v. Senecal*, 666 A.2d 806 (RI 1995)

INMATE/PUBLIC ACCESS: YES	AVAILABLE IN SPANISH: YES

I. PURPOSE:

Inmates have the right to make informed decisions regarding health care, including the right to refuse care. The Rhode Island Department of Corrections (RIDOC) will ensure that a mechanism is in place for an inmate to refuse medical treatment, except under limited circumstances.

NOTE: The right to refuse treatment does not supersede the right of the State to preserve life (i.e., suicide attempt, hunger strike, other life-threatening medical condition).

II. POLICY:

Policies and defined procedures provide that an inmate can refuse, in writing, certain health treatment and care.

III. **PROCEDURES:**

A. An inmate may, at the time of being offered certain health evaluation, treatment, or care, refuse said evaluation, treatment or care. For procedures and medications that in the community setting would require informed consent, written documentation of informed consent is required.

EXCEPTION: Inmates may **NOT** refuse:

1. Syphilis testing upon commitment.

2. TB testing upon commitment and at any time deemed appropriate by the Medical Program Director.

3. HIV testing upon sentencing.

4. Isolation ordered by a physician for infection control.

5. Forced psychotropic medications ordered by a physician on an emergency basis (please reference the most recent version of RIDOC policy 18.65 DOC, Emergency Use of Forced Psychotropic Medications).

6. Court-ordered medication and treatment (court-ordered Petition for Instructions to override their mentally incompetent treatment refusal).

7. Nutrition, if a hunger strike results in a serious deterioration of health (please reference the most recent version of RIDOC policy 18.72 DOC, Inmate Refusal to Take Nutrition).

B. The medical refusal shall be documented on the Release from Responsibility for Medical Treatment form. The requirement for written refusal generally is satisfied by the signature of the inmate on the refusal document, with a witness who acknowledges that the inmate read the refusal form, or had it read to him/her in a language he/she understands.

C. If the inmate is refusing medication prescribed by a psychiatric provider, the inmate will be informed that the provider will be contacted, and the possibility of forced medication exists (Please reference the most recent version of RIDOC policy 18.65 DOC, Use and Emergency Use of Forced Psychotropic Medications). If the inmate refuses such medication, then the provider is contacted.

D. If an inmate refuses to sign the form, it is to be noted on the form that "Inmate Refused to Sign" and requires a second health care or custody staff witness the form.