

1.1 **Department of Corrections**

1.2 **Adopted Permanent Rules Relating to County Jail Facilities**

1.3 **2911.0100 INTRODUCTION.**

1.4 A. This chapter provides minimum standards for public and private correctional  
1.5 facilities throughout the state established and operated for the detention and confinement  
1.6 of persons detained or confined according to law except to the extent that they are  
1.7 inspected or licensed by other state regulating agencies. Facilities may request technical  
1.8 assistance from the department in determining whether they are eligible for a variance  
1.9 to a specific standard under this chapter.

1.10 B. Nothing in this chapter shall be construed to prevent the establishment of  
1.11 job descriptions, work assignments, channels of communication, or personnel policies  
1.12 with merit systems or collective bargaining agreements.

1.13 **2911.0200 DEFINITIONS.**

1.14 [For text of subp 1, see M.R.]

1.15 Subp. 2. **Administrative segregation.** "Administrative segregation" means the  
1.16 status of an inmate prone to escape, prone to assault staff or other inmates, or likely to need  
1.17 protection from other inmates or self, an inmate determined to be mentally challenged  
1.18 who is in need of special care, or an inmate on medical isolation or infirmary status.

1.19 Subp. 3. **Assistant jail administrator.** "Assistant jail administrator" means an  
1.20 administrative officer who assists the facility administrator responsible for managing  
1.21 and operating the facility.

1.22 [For text of subp 4, see M.R.]

1.23 Subp. 5. **Alternative sentence.** "Alternative sentence" includes, but is not limited to,  
1.24 a sentence including court ordered sanctions that allow one or more of the following:

1.25 A. work release;

- 2.1 B. intermittent sentences;
- 2.2 C. community service;
- 2.3 D. sentencing to service requirements;
- 2.4 E. educational release; or
- 2.5 F. electronic monitoring.

2.6 Subp. 6. **Average daily population.** "Average daily population" means the average  
2.7 number of inmates residing daily during the last calendar year. An inmate on furlough  
2.8 or hospitalized is excluded. Average daily population is calculated by dividing the total  
2.9 number of inmate days served in the facility by the number of days in the calendar year.

2.10 The total number of inmate days includes computation of any time an inmate spends  
2.11 in the community on alternative sentence when the inmate's primary residence for that  
2.12 day is the correctional facility governed by this chapter.

2.13 An offender on electronic monitoring or other sentencing sanction who reports to a  
2.14 sanction such as community or sentencing to service programs from a residence is not to  
2.15 be considered in average daily population computation.

2.16 Subp. 7. **Booking.** "Booking" in a detention facility is a procedure for the processing  
2.17 of a person charged with or convicted of an offense, and includes procedures such as  
2.18 searching, fingerprinting, photographing, medical screening, and collecting personal  
2.19 history data.

2.20 Subp. 8. [See repealer.]

2.21 Subp. 9. **Cell.** "Cell" means a sleeping space in a detention facility for the confinement  
2.22 of not more than two inmates, except as approved by the Department of Corrections.

2.23 Subp. 10. **Cellblock or housing unit.** "Cellblock" or "housing unit " means a group  
2.24 of cells immediately adjacent and directly accessible to a dayroom.

3.1 Subp. 11. **Class I facility.** "Class I facility" means a secure adult detention facility  
3.2 used to confine inmates for a time not to exceed 72 hours excluding holidays or weekends.  
3.3 A Class I facility is known as a holding facility.

3.4 Subp. 12. **Class II facility.** "Class II facility" means a secure adult detention facility  
3.5 used to confine inmates before an appearance in court and sentenced inmates for a time  
3.6 not to exceed 90 days. A Class II facility is known as a lockup facility.

3.7 Subp. 13. **Class III facility.** "Class III facility" means a secure detention facility  
3.8 used to confine sentenced inmates for a time not to exceed any limits set by Minnesota  
3.9 Statutes, adult pretrial and presentenced detainees indefinitely, and juveniles up to the  
3.10 limits prescribed by Minnesota Statutes and commissioner approval. A Class III facility is  
3.11 known as a jail facility.

3.12 Subp. 14. **Class IV facility.** "Class IV facility" means a minimum security adult  
3.13 detention facility used to confine sentenced inmates for a time not to exceed any limits set  
3.14 by Minnesota Statutes or adult pretrial or presentenced detainees indefinitely. A Class IV  
3.15 facility is known as a jail annex.

3.16 Subp. 15. **Class V facility.** "Class V facility" means a secure adult detention facility  
3.17 used to detain adult pretrial and presentenced detainees indefinitely. A Class V facility is  
3.18 known as an adult detention center.

3.19 Subp. 16. **Class VI facility.** "Class VI facility" means a facility used to confine  
3.20 presentenced and sentenced inmates for periods of time not to exceed any limits set by  
3.21 Minnesota Statutes. A Class VI facility is known as an adult corrections facility.

3.22 Subp. 17. **Classification.** "Classification" means a process for determining the  
3.23 needs and security requirements of inmates for whom confinement has been ordered and  
3.24 for assigning the inmates to housing units and programs according to their needs and  
3.25 existing resources.

4.1 Subp. 18. [See repealer.]

4.2 [For text of subp 19, see M.R.]

4.3 Subp. 20. **Contraband.** "Contraband" means an item possessed by an inmate or  
4.4 found within the facility that is prohibited by statute or facility policy. This includes items  
4.5 that are authorized but in excess of allowable limits.

4.6 Subp. 21. [See repealer.]

4.7 Subp. 22. **Control center.** "Control center" means a secure post within a facility  
4.8 where security activities are monitored and controlled.

4.9 Subp. 23. **Controlled substance.** "Controlled substance" means a medication,  
4.10 substance, or immediate precursor in Schedules I to V of Minnesota Statutes, section  
4.11 152.02.

4.12 Subp. 24. **Crowded facility.** "Crowded facility" means a condition when the  
4.13 facility's operational capacity is exceeded.

4.14 Subp. 25. [Renumbered subp 56a]

4.15 [For text of subp 26, see M.R.]

4.16 Subp. 27. **Dayroom.** "Dayroom" means a room that is adjacent to a cell or cells or  
4.17 detention room, and that is used as a dining, exercise, or other activity room for inmates.

4.18 Subp. 28. **Department of Corrections or DOC.** "Department of Corrections" or  
4.19 "DOC" means the Minnesota Department of Corrections.

4.20 Subp. 29. **Disciplinary segregation.** "Disciplinary segregation" means the status  
4.21 assigned an inmate following a hearing in which the inmate was found in violation of a  
4.22 facility rule or state or federal law or the status assigned an inmate before a hearing when  
4.23 segregating the inmate is determined to be necessary in order to reasonably ensure the  
4.24 security of the facility.

5.1 [For text of subps 30 to 32, see M.R.]

5.2 Subp. 33. [See repealer.]

5.3 Subp. 34. [See repealer.]

5.4 Subp. 35. **Facility.** "Facility" means a county, multiple county, or private corrections  
5.5 facility of a Class I to Class VI type.

5.6 [For text of subp 36, see M.R.]

5.7 Subp. 37. [See repealer.]

5.8 [For text of subp 38, see M.R.]

5.9 Subp. 38a. **General population.** "General population" means inmates who are  
5.10 typically classified as medium-risk. This group may also include reclassified inmates from  
5.11 special-management or minimum-security status. This group is most often the majority  
5.12 of inmates in a facility.

5.13 Subp. 39. **Health authority.** "Health authority" means an individual or agency  
5.14 licensed to practice medicine and provide health services to the inmate population of the  
5.15 facility or the physician at an institution with final responsibility for decisions related to  
5.16 medical judgments.

5.17 Subp. 40. **Health care personnel.** "Health care personnel" means an individual  
5.18 whose primary duty is to provide health services in accordance with their respective license.  
5.19 The individual must be a RN, LPN, nurse practitioner, physician, or physician assistant.

5.20 Subp. 41. **Health-trained staff person.** "Health-trained staff person" means a  
5.21 person who provides assistance to the responsible physician or health care personnel in  
5.22 keeping with the person's levels of education, training, and experience.

5.23 Subp. 42. **Holding area.** "Holding area" means a cell or room used to hold one or  
5.24 more persons temporarily.

6.1 Subp. 43. [See repealer.]

6.2 [For text of subp 44, see M.R.]

6.3 Subp. 45. **Individual with a disability.** "Individual with a disability" means a person  
6.4 who has a physical or mental impairment that substantially limits one or more major life  
6.5 activities, a record of an impairment, or is regarded as having an impairment.

6.6 Subp. 46. **Inmate or detainee.** "Inmate" or "detainee" means an individual, adult, or  
6.7 juvenile, detained or confined in a Class I to Class VI facility.

6.8 Subp. 47. [See repealer.]

6.9 [For text of subp 48, see M.R.]

6.10 Subp. 49. **Inspection.** "Inspection" means an assessment of existing conditions made  
6.11 to determine the facility's compliance with this chapter.

6.12 Subp. 49a. **Intermittent sentence.** "Intermittent sentence" means a court-ordered  
6.13 sanction that requires a person to report to a Class I to Class VI facility on more than one  
6.14 occasion under the same sanction.

6.15 Subp. 50. [Renumbered subp 58a]

6.16 Subp. 51. **Life safety code.** "Life safety code" means minimum standards for fire  
6.17 safety published and updated by the National Fire Protection Association and other  
6.18 authorities having jurisdiction.

6.19 Subp. 52. **Limited use agreement.** "Limited use agreement" means a written  
6.20 agreement between the Department of Corrections and local officials that restricts a  
6.21 facility's operation and establishes timelines for facility improvements.

6.22 Subp. 53. [See repealer.]

6.23 Subp. 54. [See repealer.]

7.1 Subp. 55. **Medication.** "Medication" means any remedial agent that has the property  
7.2 of curing, preventing, treating, or mitigating diseases, or that is used for that purpose.  
7.3 For the purposes of this chapter, medication includes prescription and nonprescription  
7.4 medications.

7.5 [For text of subp 56, see M.R.]

7.6 Subp. 56a. **Overcrowded facility.** "Overcrowded facility" means a condition when  
7.7 the facility's approved bed capacity is exceeded.

7.8 Subp. 56b. **Override.**

7.9 A. "Override" means the assignment of a custody level other than the one  
7.10 designated by scored custody and needs assessment and is based upon professional  
7.11 judgment and factors that are not captured by the classification forms.

7.12 B. "Discretionary override" means a change in classification based upon the  
7.13 professional judgment of the classification staff, and the inmate's crime, prior record, or  
7.14 institutional adjustment.

7.15 C. "Nondiscretionary override" means a formal policy to prohibit the placement  
7.16 of certain inmates from the general population housing or minimum security housing.

7.17 [For text of subp 57, see M.R.]

7.18 Subp. 58. **Policy.** "Policy" means a written statement declaring mission and purpose.

7.19 Subp. 58a. **Prescription medication.** "Prescription medication" means a medication  
7.20 that is required by federal law to bear the following statement: "Caution: Federal law  
7.21 prohibits dispensing without prescription."

7.22 [For text of subps 59 to 63, see M.R.]

7.23 Subp. 63a. **Security equipment.** "Security equipment" means an approved security  
7.24 device used by staff as a response to or prevention of resistance.

8.1 [For text of subp 64, see M.R.]

8.2 Subp. 65. [See repealer.]

8.3 Subp. 65a. **Segregation area.** "Segregation area" means an area of the facility  
8.4 that houses inmates requiring either prehearing detention, administrative segregation  
8.5 status, or lockdown time for disciplinary violations. This area is separate from the general  
8.6 population and houses inmates individually.

8.7 Subp. 65b. **Sexual misconduct.** "Sexual misconduct" means any sexual contact  
8.8 or sexual acts between inmates or between inmates and staff that is either illegal or  
8.9 maltreatment under Minnesota Statutes. Sexual misconduct includes consensual sexual  
8.10 contact or acts between staff members and inmates.

8.11 Subp. 65c. **Special management area.** "Special management area" means an area  
8.12 that provides the greatest degree of physical security for the control and separation of  
8.13 inmates.

8.14 [For text of subps 66 and 67, see M.R.]

8.15 Subp. 68. [See repealer.]

8.16 Subp. 69. **Substantially conform.** "Substantially conform" means a compliance  
8.17 rating of 100 percent on rules under part 2911.0300, subpart 5a, item B, and 90 percent  
8.18 compliance on rules under part 2911.0300, subpart 5a, item C.

8.19 Subp. 70. [See repealer.]

8.20 Subp. 71. **Variance.** "Variance" means an exception to a specific rule or rules for a  
8.21 specified period of time.

8.22 Subp. 72. [See repealer.]



9.1 **2911.0300 INTENDED USE AND NONCONFORMANCE WITH RULES.**

9.2 Subpart 1. **Intended use.** A facility shall be used only according to its classification,  
9.3 Class I to Class VI, as approved by the Department of Corrections. A Class I facility may  
9.4 be approved by the commissioner to house inmates serving alternative sentences for a time  
9.5 not to exceed any limits set by Minnesota Statutes. A Class II facility may house inmates  
9.6 serving an alternative sentence for a time not to exceed any limits set by Minnesota  
9.7 Statutes. A facility must be in compliance with a rule part, subpart, or item as designated  
9.8 under subpart 5a in order to meet approval requirements for continued operation unless  
9.9 the commissioner waives the part, subpart, or item. The commissioner shall assess a  
9.10 facility based on compliance with rules applicable to the facility's classification at the time  
9.11 of the facility's last inspection.

9.12 Subp. 2. **Nonconformance, unsafe, unsanitary, or illegal conditions.** When  
9.13 conditions do not substantially conform or where specific conditions endanger the health,  
9.14 welfare, or safety of inmates or staff, the facility's use is restricted pursuant to Minnesota  
9.15 Statutes, section 241.021, subdivision 1, or legal proceedings to condemn the facility will  
9.16 be initiated pursuant to Minnesota Statutes, section 641.26 or 642.10.

9.17 Subp. 3. **Comparable care.** A facility that houses males and females shall provide  
9.18 comparable care for each group.

9.19 Subp. 4. **Correction of deficiencies.** Sanctions for violation of mandatory rules  
9.20 are as follows.

9.21 [For text of item A, see M.R.]

9.22 B. For a level two sanction, the facility inspector shall issue a written compliance  
9.23 order to the facility administrator and governing body that requires submission of a written  
9.24 plan of action inclusive of time lines for correction of any deficiency allowed more than  
9.25 180 days for correction. The DOC shall grant or deny approval of the action plan in  
9.26 writing within 30 days of receiving the action plan.

10.1 C. For a level three sanction, when compliance is not achieved within time  
10.2 lines ordered or action plans are not implemented as approved by the DOC, the facility  
10.3 inspector shall submit to the facility administrator and governing body a limited use  
10.4 agreement for review, signature, and return within a specified time.

10.5 D. For a level four sanction, when compliance with the rules under subpart 5a,  
10.6 item B, cannot be achieved because of serious life-safety and physical plant deficiencies,  
10.7 the commissioner shall specify a duration of time, known as the sunset authorization  
10.8 period, after which the facility will no longer have the authority to operate.

10.9 E. For a level five sanction, when level one to level four sanctions have not  
10.10 resulted in correction of deficiencies, the commissioner shall exercise restricted use or  
10.11 condemnation authority under subpart 2.

10.12 Subp. 5. [See repealer.]

10.13 Subp. 5a. **Rule compliance.**

10.14 A. A facility must meet the requirements of this subpart in order to be in  
10.15 compliance with this chapter.

10.16 B. A facility must comply with 100 percent of the following rules unless  
10.17 specifically excluded under that rule:

10.18 (1) 2911.0100, item B;

10.19 (2) 2911.0300

10.20 (3) 2911.0400, subparts 2 and 4;

10.21 (4) 2911.0800;

10.22 (5) 2911.0900, subparts 1, 2, 8, 9, 10, 11, 12, 18, 25, and 26;

10.23 (6) 2911.1000;

10.24 (7) 2911.1900;

- 11.1 (8) 2911.2100;
- 11.2 (9) 2911.2300;
- 11.3 (10) 2911.2500;
- 11.4 (11) 2911.2600, subpart 1;
- 11.5 (12) 2911.2700, subparts 3 and 4;
- 11.6 (13) 2911.2850, subparts 1 and 2;
- 11.7 (14) 2911.2900;
- 11.8 (15) 2911.3100, subpart 2;
- 11.9 (16) 2911.3200;
- 11.10 (17) 2911.3300, subparts 3, item C, and 5;
- 11.11 (18) 2911.3600, subpart 3;
- 11.12 (19) 2911.3700, subparts 1, 2, 3, and 5;
- 11.13 (20) 2911.3800;
- 11.14 (21) 2911.3900, subpart 1;
- 11.15 (22) 2911.4000;
- 11.16 (23) 2911.4100, subpart 1;
- 11.17 (24) 2911.4400;
- 11.18 (25) 2911.4500;
- 11.19 (26) 2911.4600;
- 11.20 (27) 2911.5100, subparts 1 and 2;
- 11.21 (28) 2911.5200, subpart 1;
- 11.22 (29) 2911.5300;

- 12.1 (30) 2911.5400;
- 12.2 (31) 2911.5500;
- 12.3 (32) 2911.5700;
- 12.4 (33) 2911.5800, subparts 1, 2, 3, 4, 6, 8, and 11;
- 12.5 (34) 2911.5900;
- 12.6 (35) 2911.6000, subparts 2 and 3;
- 12.7 (36) 2911.6100;
- 12.8 (37) 2911.6200, subparts 1, 2, and 6;
- 12.9 (38) 2911.6300;
- 12.10 (39) 2911.6400;
- 12.11 (40) 2911.6500;
- 12.12 (41) 2911.6600;
- 12.13 (42) 2911.6700;
- 12.14 (43) 2911.6800;
- 12.15 (44) 2911.6900;
- 12.16 (45) 2911.7000;
- 12.17 (46) 2911.7100, subparts 1 and 3;
- 12.18 (47) 2911.7200;
- 12.19 (48) 2911.7300, subpart 1;
- 12.20 (49) 2911.7500; and
- 12.21 (50) 2911.7600.

13.1 C. A facility must comply with at least 90 percent of parts 2911.0330 to  
13.2 2911.7600 that are not listed in item B.

13.3 [For text of subp 6, see M.R.]

13.4 **2911.0330 APPROVED CAPACITY.**

13.5 Subpart 1. [See repealer.]

13.6 Subp. 2. **Approved bed capacity.** Approved bed capacity, excluding holding areas  
13.7 and beds designed for disciplinary or administrative segregation purposes, shall be based  
13.8 on the following criteria:

13.9 A. single occupancy cells shall provide a minimum of 70 square feet of floor  
13.10 space per inmate;

13.11 B. single occupancy cells or detention rooms in facilities used for detention or  
13.12 confinement of inmates prior to May 15, 1978, shall provide a minimum of 50 square feet  
13.13 of floor space per inmate;

13.14 C. dormitories shall provide a minimum of 60 square feet of floor space per  
13.15 inmate; and

13.16 D. double occupancy cells shall provide a minimum of 70 square feet of floor  
13.17 space.

13.18 **2911.0340 DESIGN CAPACITY.**

13.19 Subpart 1. **Design capacity.** The "design capacity" of a facility is determined by  
13.20 the number of beds in the facility as calculated in the same manner as for approved bed  
13.21 capacity with the addition of holding cells and those beds designed for segregation  
13.22 or special management purposes.

13.23 Subp. 2. [See repealer.]

14.1 **2911.0360 OPERATIONAL BED CAPACITY.**

14.2 The operational bed capacity of the facility shall be a percentage of the approved bed  
14.3 capacity level to accommodate peak population demands and separation requirements,  
14.4 and partial closing for maintenance and housekeeping.

14.5 **2911.0370 VARIANCE BED CAPACITY.**

14.6 When a variance is authorized by the Department of Corrections pursuant to part  
14.7 2911.0400, subpart 1, the facility may exceed its bed capacity level.

14.8 **2911.0400 VARIANCES.**

14.9 Subpart 1. **Variations, generally.** The granting of a variance under this part for one  
14.10 facility shall not constitute a precedent for any other facility. The granting and denial  
14.11 of variations shall be in writing and made within 30 days of the request for a variance.  
14.12 The variance shall be granted by the commissioner if, in the licensing procedure or  
14.13 enforcement of this chapter, all of the following are present:

14.14 A. requiring a particular facility to strictly comply with one or more of the  
14.15 provisions will result in undue financial hardship or jeopardize the health, safety, security,  
14.16 detention, or well-being of the inmates or facility staff;

14.17 B. the facility is otherwise in substantial conformity with this chapter or is  
14.18 making satisfactory progress toward substantial conformity;

14.19 C. granting the variance will not preclude the facility from making satisfactory  
14.20 progress toward substantial conformity with this chapter;

14.21 D. granting the variance will not leave the interests and well-being of the  
14.22 inmates or facility staff unprotected; and

14.23 E. the facility will take substitute action as is necessary or available to comply  
14.24 with the general purpose of this chapter to the fullest extent possible.

15.1 Subp. 2. **Emergency notification.** When a facility administrator declares an  
15.2 emergency, the applicable rules may be suspended during the duration of the emergency.  
15.3 The facility administrator or designee shall notify the DOC in writing within 72 hours of  
15.4 an emergency that results in the suspension of any rule under this chapter.

15.5 Subp. 3. [See repealer.]

15.6 Subp. 4. **Suspension limit.** A suspension of rules because of an emergency  
15.7 declared by a facility administrator or a designee shall not exceed seven days unless the  
15.8 administrator obtains the approval of the commissioner of corrections for a variance  
15.9 to the rules and the variance is necessary:

15.10 A. for the protection of the health, security, safety, detention, or well-being of the  
15.11 staff or the inmates detained or confined in the institution where the emergency exists; or

15.12 B. when an emergency public safety issue has occurred.

15.13 Subp. 5. [Renumbered 2911.3700 subp 6]

15.14 Subp. 6. [Renumbered 2911.3700 subp 7]

15.15 Subp. 7. **Notification.** The facility administrator or a designee shall notify the DOC in  
15.16 writing of each instance of failure to maintain population at or below the facility approved  
15.17 bed capacity for more than seven consecutive days or 15 days of any month in which the  
15.18 facility has had an average daily population greater than its approved bed capacity.

15.19 Subp. 8. **Overcrowded facility plan.** Whenever an overcrowded facility condition  
15.20 occurs and the conditions in subpart 7 exist, a facility shall have a written plan that  
15.21 requires the use of available contract per diem bed space in DOC-approved facilities  
15.22 within a 125-mile radius. The plan shall require the following.

15.23 [For text of items A to C, see M.R.]

15.24 Subp. 9. **Intermittent sentence contingency plans.** A facility shall have a written  
15.25 plan that governs space arrangements and procedures to be followed in the event the

16.1 number of inmates in the facility at 8:00 a.m. on any day and the number of inmates  
16.2 serving intermittent sentences scheduled for admission into the facility that day will  
16.3 exceed the facility's approved bed capacity.

16.4 **2911.0600 STAFF RECRUITMENT.**

16.5 Custody personnel shall be a minimum of 18 years of age. Recruitment standards  
16.6 shall set forth the basic requirements as to age, ability, preparatory experience, physical  
16.7 condition, and character. Recruitment standards shall also establish factors that may  
16.8 disqualify an applicant. Discrimination shall be prohibited consistent with Minnesota  
16.9 Statutes, section 363A.08.

16.10 **2911.0700 EMPLOYEE EVALUATION.**

16.11 Consistent with Minnesota Statutes, an employee shall complete a probationary  
16.12 period and be evaluated during the probationary period before being permanently  
16.13 appointed. The evaluation shall be in writing, discussed with the employee, and made a  
16.14 part of the employee's personnel record.

16.15 **2911.0800 EXTRA DUTY.**

16.16 An employee shall be scheduled for no more than 12 hours consecutive work in any  
16.17 24 hours except where unusual circumstances require reasonable and prudent exception.

16.18 Coverage for vacations, military leave, jury duty, scheduled training, and similar  
16.19 activities is not to be considered as unusual circumstances requiring reasonable and  
16.20 prudent exception. Each of these coverage needs is known to the facility administration  
16.21 with sufficient lead time to allow proactive scheduling to maintain compliance with the  
16.22 12-hour standard requirements.

16.23 **2911.0900 STAFFING REQUIREMENTS.**

16.24 Subpart 1. **Staffing plan and staffing analysis.** The facility administrator shall  
16.25 prepare and retain a staffing plan.

16.26 The staffing plan shall identify:



- 17.1 A. jail personnel assignments for:
- 17.2 (1) facility administration and supervision;
- 17.3 (2) facility programs including exercise and recreation;
- 17.4 (3) inmate admission, booking, supervision, and custody;
- 17.5 (4) support services including medical, food service, maintenance, and
- 17.6 clerical; and
- 17.7 (5) other jail-relevant functions such as escort and transportation of inmates;
- 17.8 B. the days of the week that the assignments are filled;
- 17.9 C. the hours of the day that the assignments are covered; and
- 17.10 D. any deviations from the plan with respect to weekends, holidays, or other
- 17.11 atypical situations must be considered.

17.12 The facility administrator or designee shall review the facility's staffing plan at least

17.13 once each year. The review shall be documented in written form sufficient to indicate that

17.14 staffing plans have been reviewed and revised as appropriate to the facility's needs or

17.15 referred to the facility's governing body for funding consideration.

17.16 A facility with a design capacity of more than 60 beds must have a staffing analysis

17.17 and staffing plan approved by the commissioner of corrections. This staffing analysis shall

17.18 include all posts, functions, net annual work hours appropriate to each post, and total

17.19 number of employees to fill the identified posts and functions.

17.20 Subp. 2. **Administrator.** There shall be a single administrator of each facility.

17.21 [For text of subp 3, see M.R.]

17.22 Subp. 4. **Class III facilities.** Class III facilities with average daily inmate populations

17.23 under 30 shall have a full-time staff person employed as facility administrator/program

18.1 coordinator who shall not be classified as a custody person whose primary duty is  
18.2 supervision of inmates.

18.3 [For text of subps 5 and 6, see M.R.]

18.4 Subp. 7. **Assistant jail administrator.** Where the custodial responsibility of inmates  
18.5 exceeds 60, an assistant jail administrator shall be required. Assistant jail administrators  
18.6 shall not be classified as custody personnel whose primary duties are supervision of inmates.

18.7 Subp. 8. **Staff person in charge.** Facility administration shall designate a staff  
18.8 person to be in charge at all times in the absence of administrative staff from the facility.

18.9 Subp. 9. **Condition of custody staff person on duty.** An inmate shall not be  
18.10 detained without custody staff on duty, present in the facility, awake and alert at all times,  
18.11 and capable of responding to emergencies or the reasonable needs of inmates.

18.12 Subp. 10. **Supervision of inmates of opposite gender.** Staff members shall not be  
18.13 placed in positions of responsibility for the supervision and welfare of inmates of the  
18.14 opposite gender in circumstances that can be described as invasion of privacy, degrading,  
18.15 or humiliating to the inmates. When staff of one gender are used as program resource  
18.16 personnel with inmates of the opposite gender, staff of the inmates' gender must be on  
18.17 duty and in the facility.

18.18 Subp. 11. **Maintenance personnel and custody staff; separation of duties.**  
18.19 Maintenance personnel shall be employed to perform preventive, routine, and emergency  
18.20 maintenance functions. Custody staff shall not be given physical plant maintenance duties  
18.21 that detract from their primary responsibilities for ongoing supervision of inmates.

18.22 Subp. 12. **Assistance for dispatcher or custody staff person.** In a facility that  
18.23 uses the dispatcher or custody position as sole supervision, the dispatcher or custody  
18.24 staff person must be assisted on duty by another custody staff person when the facility's  
18.25 inmate population exceeds five.

19.1 Subp. 13. [See repealer.]

19.2 Subp. 14. **Backup resource assistance.** In facilities that use the dispatcher or  
19.3 custody position as sole supervision, policy and procedures shall be implemented that  
19.4 assure a reasonable level of security and backup resource assistance for the dispatcher or  
19.5 custody person in circumstances that require emergency response assistance. The DOC  
19.6 shall review and approve the policy and procedures.

19.7 Subp. 15. **Ratio of custody staff to inmates, reporting incidents, and responding**  
19.8 **to emergencies.**

19.9 A. A facility with a design capacity of 60 or fewer beds shall meet the staffing  
19.10 ratios in this item. For inmate supervision, the overall facilitywide minimum ratio of  
19.11 custody staff to inmates shall be one custody officer to 25 inmates. These staff must be in  
19.12 the facility and on duty at all times and not involved in temporary duties outside of the  
19.13 facility. Included in this ratio are all staff who are assigned and trained in the custody and  
19.14 supervision of inmates as their primary duty. Staff not directly responsible for custody and  
19.15 supervision of inmates such as administrative, supervisory, program, bailiff, or support  
19.16 staff shall not be included in this ratio.

19.17 B. A facility with a design capacity of 60 or more beds shall meet the staffing  
19.18 ratios in this item. For inmate supervision, the overall facilitywide minimum ratio or  
19.19 custody staff to inmates shall not be less than:

19.20 (1) 1 to 60 inmates for direct supervision housing units with lockdown  
19.21 capability;

19.22 (2) 1 to 48 inmates for direct supervision dormitories;

19.23 (3) 1 to 40 for indirect or podular inmate supervision; and

19.24 (4) 1 to 25 inmates for linear housing areas.

20.1 C. A facility administrator may apply for a specific variance from the staffing  
20.2 requirements in this subpart from the commissioner. Consideration of this variance shall  
20.3 require that supervision of inmates is accomplished in an appropriate manner and that the  
20.4 safety and security of the facility, staff, and inmates are not compromised.

20.5 Subp. 16. [See repealer.]

20.6 Subp. 17. **Escort, movement, or booking staff.** Class I to Class VI facilities' staff  
20.7 shall be provided as follows:

20.8 A. internal escort, rover, or movement officers in sufficient numbers as  
20.9 determined in the approved staffing plan under this subpart to ensure that inmates have  
20.10 access to staff, programs, activities, and services, and that the safety and security of the  
20.11 facility is not compromised;

20.12 B. sufficient staff present to provide for the booking of offenders without a  
20.13 reduction in the safety or security of the facility and inmates;

20.14 C. in multifloor jails, custody staff posted on each floor occupied by inmates; and

20.15 D. sufficient numbers of staff to complete duties listed in post orders.

20.16 Class I to Class VI facility staff shall not be used for the external transportation of  
20.17 inmates or court security if the level of inmate supervision, inmate admission, programs,  
20.18 or internal inmate movement would be reduced below minimums afforded under the  
20.19 facility's staffing plan.

20.20 Subp. 18. **Program staff requirements for Class II.** In a Class II facility a staff  
20.21 person shall be designated to coordinate community services and volunteer programming.

20.22 Subp. 19. **Class I exemptions.** Class I facilities are exempt from the requirement  
20.23 in subpart 18, except those facilities approved by the commissioner to house inmates  
20.24 serving alternative sentences.

21.1 Subp. 20. **Coordination of programs.** In a Class III and Class VI facility, a staff  
21.2 person shall be designated to coordinate educational and vocational programs, social  
21.3 service programs, work release, and volunteer services programs. The following minimum  
21.4 inmate to program staff ratio shall apply for the average daily population:

21.5 A. 30 or under, program staffing needs comply with subpart 4;

21.6 B. 31 to 60, one full-time program staff person; and

21.7 C. over 60, program staffing needs are addressed as part of the overall facility  
21.8 staffing plan.

21.9 [For text of subps 21 and 22, see M.R.]

21.10 Subp. 23. **Custody staff override.** The ratio of custody staff to inmates may be  
21.11 reduced proportionate to the facility's population decrease during those hours that inmates  
21.12 are released from the facility for work release, educational release, community service, or  
21.13 sentencing to service activities.

21.14 No override reduction is allowed in any facility using a custody staff person or  
21.15 dispatcher as sole supervision or facilities using staffing patterns that employ one  
21.16 dispatcher and one custody staff person.

21.17 Facilities using the override allowed in this subpart must document the number of  
21.18 inmates in the facility on an hourly basis and those under the facilities' jurisdiction that  
21.19 are temporarily released from the facility for work, education, community service, or  
21.20 sentencing to service programs. The facility shall also document the number of available  
21.21 custody staff for the population housed in the facility on an hourly basis.

21.22 Subp. 24. **Program staff increase override.** The number of program staff  
21.23 required shall be increased in facilities that provide program oversight and supervision  
21.24 of alternative to incarceration programs such as home detention, electronic monitoring,  
21.25 or sentencing to service involving offenders who are not incarcerated or detained in the  
21.26 facility a portion of each day.

22.1 Subp. 25. **Support staff requirements.** Support staff requirements are as follows:  
22.2 clerical, maintenance, and food service staff shall be provided to meet operational  
22.3 requirements applicable to the facility.

22.4 Subp. 26. **Ancillary functions.** Personnel shall be provided to perform ancillary  
22.5 functions such as transportation or court escort to the extent necessary to ensure that  
22.6 security, supervision of inmates, the administration of program activities, and the efficient  
22.7 operation of the facility are not reduced or jeopardized by such activities.

22.8 **2911.1000 TRAINING PLAN.**

22.9 A facility administrator or designee shall develop and implement a training plan for  
22.10 the orientation of new employees and volunteers and provide for continuing in-service  
22.11 training programs for all employees and volunteers. Training plans shall be documented  
22.12 and describe curriculum, methods of instruction, and objectives. In-service training plans  
22.13 shall be prepared annually and shall provide documentation indicating that training for  
22.14 individual employees has taken into consideration their length of service, position within  
22.15 the organization, and previous training completed.

22.16 **2911.1100** [Renumbered 2911.1200 subpart 1]

22.17 **2911.1200 CLERICAL AND SUPPORT EMPLOYEES WITH REGULAR OR**  
22.18 **DAILY INMATE CONTACT; TRAINING.**

22.19 Subpart 1. **Minimal inmate contact.** A facility shall have a written policy and  
22.20 procedure that provides that all new clerical and support employees that have minimal  
22.21 inmate contact receive 24 hours of orientation and training during their first year of  
22.22 employment. Sixteen of these hours are completed before being independently assigned to  
22.23 a particular job. Persons in this category are given an additional 16 hours of training each  
22.24 subsequent year of employment.

22.25 Subp. 2. **Regular or daily inmate contact.** A facility shall have a written policy and  
22.26 procedure that provides that all new clerical and support employees who have regular or

23.1 daily inmate contact receive 40 hours of orientation and training during their first year of  
23.2 employment. These hours are to be completed before being independently assigned to a  
23.3 particular job. The employees are given an additional 16 hours of training each subsequent  
23.4 year of employment. At a minimum, this training covers the following areas:

- 23.5 A. security procedures and regulations;
- 23.6 B. rights and responsibilities of inmates;
- 23.7 C. all applicable emergency procedures;
- 23.8 D. interpersonal relations and communication skills; and
- 23.9 E. first aid.

23.10 **2911.1300 CUSTODY STAFF TRAINING.**

23.11 A facility shall have a written policy and procedure that provides that all custody staff  
23.12 receive 120 hours of orientation and training during the first year of employment. Forty  
23.13 of these hours are completed prior to being independently assigned to a particular post.  
23.14 All persons in this category are given an additional 16 hours of training each subsequent  
23.15 year. At a minimum, training completed before independent assignment to a particular  
23.16 post shall include:

- 23.17 A. security procedures;
- 23.18 B. supervision of inmates;
- 23.19 C. signs of suicide risk and suicide precautions;
- 23.20 D. vulnerable inmates;
- 23.21 E. response to resistance regulations and tactics;
- 23.22 F. report writing;
- 23.23 G. inmate rules and regulations;
- 23.24 H. rights and responsibilities of inmates;

- 24.1 I. fire and emergency procedures;
- 24.2 J. key control;
- 24.3 K. interpersonal relations and communication skills;
- 24.4 L. diversity training;
- 24.5 M. distribution of medications;
- 24.6 N. right to know; and
- 24.7 O. blood-borne pathogens and communicable diseases.

24.8 **2911.1350 MEDICAL TRAINING FOR CUSTODY STAFF.**

24.9 By policy and procedure a training program shall be established by the facility  
24.10 administrator in cooperation with the health authority, that provides instruction in the  
24.11 following areas:

24.12 A. first aid training for custody personnel responsible for the supervision,  
24.13 safety, and well-being of prisoners;

24.14 B. recognition of signs and symptoms of illness and knowledge of action  
24.15 required in potential emergency situations;

24.16 C. administration of first aid and cardiopulmonary resuscitation (CPR).

24.17 Recertification training shall occur as required with respect to first aid and CPR. The  
24.18 training shall be documented;

24.19 D. methods of obtaining assistance;

24.20 E. recognition of signs and symptoms of mental illness, retardation, emotional  
24.21 disturbance, and chemical dependency; and

24.22 F. procedures for inmate transfers to appropriate medical facilities or other  
24.23 health care providers.



25.1 **2911.1400 ADMINISTRATIVE AND MANAGERIAL STAFF TRAINING.**

25.2 A facility shall have a written policy and procedure that provides that the facility's  
25.3 administrative and managerial staff receive at least 16 hours of orientation. Orientation  
25.4 training shall include, at a minimum, general management and related subjects, data  
25.5 practices, decision-making processes, labor law, employee-management relations, the  
25.6 interaction of elements of the criminal justice system, and relationships with other service  
25.7 agencies. After orientation, a facility's administrative and managerial staff shall receive at  
25.8 least 16 hours of training annually.

25.9 **2911.1500 PROGRAM STAFF TRAINING.**

25.10 A facility shall have a written policy and procedure that provides that the facility's  
25.11 program personnel receive at least 40 hours of orientation and training in the first year  
25.12 of employment, and at least 16 hours of training each year thereafter. This training must  
25.13 cover, at a minimum:

- 25.14 A. security procedures and regulations;
- 25.15 B. planning;
- 25.16 C. development, and implementation of treatment, educational, and recreational  
25.17 programs;
- 25.18 D. inmate and staff rules and regulations;
- 25.19 E. rights and responsibilities of inmates;
- 25.20 F. emergency procedures;
- 25.21 G. interpersonal relations;
- 25.22 H. interaction of elements of the criminal justice system; and
- 25.23 I. first aid.

26.1 **2911.1800 JOB DESCRIPTIONS.**

26.2 A facility administrator or designee shall have a written job description for all position  
26.3 classifications and post assignments that define responsibilities, duties, and qualifications.

26.4 **2911.1900 POLICY AND PROCEDURE MANUALS.**

26.5 A facility shall have a written policy and procedure manual that is electronically  
26.6 available to staff and relevant regulatory authorities and defines the philosophy and  
26.7 method for operating and maintaining the facility. This manual shall be made available to  
26.8 all employees, reviewed annually, updated as needed, and staff trained accordingly. The  
26.9 manual shall include, at a minimum, the following chapters:

26.10 A. correctional standards required under this chapter;

26.11 [For text of items B to M, see M.R.]

26.12 N. admissions, orientation, classification, property control, and release;

26.13 O. inmate activities, programs, and services; and

26.14 P. a written suicide prevention and intervention plan.

26.15 The facility administrator or designee shall review policy and procedure manuals at  
26.16 least once each year. The review shall be documented in written form sufficient to indicate  
26.17 that policies and procedures have been reviewed and amended as appropriate to facility  
26.18 changes.

26.19 **2911.2100 STORAGE AND PRESERVATION OF RECORDS.**

26.20 Space shall be provided for the safe storage of records.

26.21 **2911.2200 FILING AND DISPOSITION OF INMATE RECORDS.**

26.22 Inmate records shall be filed into individual folders or maintained through technology  
26.23 such as computerized record systems that permit an inmate's record to be readily accessed  
26.24 at one source.

27.1 **2911.2300 PRIVACY OF AND ACCESS TO INMATE RECORDS.**

27.2 Privacy of inmate records and inmate access to factual, nonconfidential data in the  
27.3 inmate's personal files shall be provided in conformity with state law.

27.4 **2911.2400 DETENTION INFORMATION SYSTEM REQUIREMENTS.**

27.5 The facility administrator shall designate a staff person responsible for reporting of  
27.6 information on persons detained or incarcerated to the DOC in a manner consistent with  
27.7 requirements in the DOC's Statewide Supervision System, Detention Entry Guide (2010)  
27.8 and any amendments, which is incorporated by reference, subject to frequent change,  
27.9 and available at the State Law Library, 25 Rev. Dr. Martin Luther King Jr. Blvd., St.  
27.10 Paul, MN 55155. Detention information system reporting requirements shall be met in  
27.11 an accurate manner daily.

27.12 **2911.2500 SEPARATION OF INMATES.**

27.13 Subpart 1. **General.** A combination of separate housing units inclusive of special  
27.14 management areas, general population, and minimum security areas and cells, dormitories,  
27.15 and dayroom spaces shall be provided to properly segregate inmates pursuant to Minnesota  
27.16 Statutes, section 641.14.

27.17 The facility shall provide for the separate housing of the following categories of  
27.18 inmates:

27.19 A. female and male inmates;

27.20 B. community custody inmates such as work release or sentencing to service;

27.21 C. inmates requiring disciplinary segregation;

27.22 D. inmates requiring administrative segregation;

27.23 E. juveniles who do not meet Minnesota statutory requirements for placement  
27.24 with adults;

28.1 F. special management, general population, and minimum security inmates as  
28.2 considered appropriate to the facilities design intent and classification system; and

28.3 G. inmates classified as mentally ill or special needs inmates in a manner  
28.4 consistent with Minnesota Statutes, section 253B.05.

28.5 Subp. 2. **Supervision of coeducational activities.** Direct supervision of  
28.6 coeducational activities shall be provided at all times.

28.7 **2911.2525 ADMISSIONS.**

28.8 Subpart 1. **Policies and procedures.** A facility shall have written policies and  
28.9 procedures for processing new inmates to the facility to include, at a minimum, the  
28.10 following:

28.11 A. obtaining and documenting available emergency medical information within  
28.12 two hours of admission;

28.13 B. verification of court commitment papers or other legal documentation  
28.14 of detention. Verification shall include checking the date of admission, duration of  
28.15 confinement, and specific charges;

28.16 C. a search of the inmate and the inmate's possessions;

28.17 D. inventory and storage of the inmate's personal property;

28.18 E. initial medical screening to include an assessment of the inmate's health  
28.19 status, including any medical or mental health needs;

28.20 F. telephone calls made by the inmate during the booking and admission process  
28.21 and prior to assignment to other housing areas;

28.22 G. shower and hair cleansing;

28.23 H. issue of bedding, clothing, and personal hygiene items according to the rule  
28.24 requirements applicable to the anticipated length of stay of the inmate;

29.1 I. photographing and fingerprinting including notation of identifying marks or  
29.2 unusual characteristics such as birthmarks or tattoos;

29.3 J. interviewing to obtain the following identifying data:

29.4 (1) name and aliases of person;

29.5 (2) current address, or last known address;

29.6 (3) health insurance information;

29.7 (4) gender;

29.8 (5) age;

29.9 (6) date of birth;

29.10 (7) place of birth;

29.11 (8) race;

29.12 (9) present or last place of employment;

29.13 (10) emergency contact including name, relation, address, and telephone

29.14 number; and

29.15 (11) additional information concerning special custody requirements or

29.16 special needs;

29.17 K. initial classification of the inmate and assignment to a housing unit;

29.18 L. an assigned booking number; and

29.19 M. Social Security number, driver's license number, or state identification

29.20 number, if available.

29.21 Subp. 2. **Privacy.** Intake procedures dealing with information protected by the  
29.22 Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13, shall be

30.1 conducted in a manner and location that assures the personal privacy of the inmate and the  
30.2 confidentiality of the transaction from unauthorized personnel.

30.3 Subp. 3. **Orientation to rules and services.** A facility shall develop a written policy  
30.4 and procedure that provides:

30.5 A. a method for all newly admitted inmates to receive orientation information in  
30.6 a manner the inmates can understand; and

30.7 B. documentation by a statement that is signed and dated by the inmate that  
30.8 the inmate completed orientation.

30.9 Subp. 4. **Inmate personal property.** A facility shall have a written policy and  
30.10 procedure that:

30.11 A. provides for the itemized inventory and secure storage of all personal  
30.12 property of a newly admitted inmate, including money and other valuables;

30.13 B. specifies any personal property an inmate may retain in the inmate's  
30.14 possession; and

30.15 C. provides that the inmate shall sign a receipt for all property held until release.

30.16 **2911.2550 RELEASES.**

30.17 Subpart 1. **Release procedures.** A facility shall have written procedures for releasing  
30.18 inmates that include, at a minimum, the following:

30.19 A. verification of identity;

30.20 B. verification of authority to release;

30.21 C. return of stored property with a receipt for the inmate to sign, unless the  
30.22 property is held for authorized investigation or litigation; and

30.23 D. arrangements for completion of any pending action, such as grievances, or  
30.24 claims for damaged or lost possessions.

31.1 Subp. 2. **Transportation.** An inmate shall be permitted to make arrangements  
31.2 for transportation prior to release.

31.3 Subp. 3. **Release in severe weather.** An inmate shall not be released in severe  
31.4 weather in a manner to endanger the inmate's health, safety, or well-being.

31.5 **2911.2600 CLASSIFICATION OF INMATES.**

31.6 Subpart 1. **Policy and procedure.** A facility shall have a written policy and procedure  
31.7 that provides for inmate classification in terms of level of custody required, housing  
31.8 assignment, participation in facility programs, and use of any overrides. The facility's  
31.9 policy and procedure on classification shall include consideration of the following:

31.10 A. inmate gender;

31.11 B. juvenile or adult status;

31.12 C. category of offense;

31.13 D. severity of current charges, convictions, or both;

31.14 E. degree of escape risk;

31.15 F. potential risk of safety to others and self;

31.16 G. institutional disciplinary history;

31.17 H. serious offense history;

31.18 I. special needs assessment, inclusive of vulnerable adults, which includes a  
31.19 determination of how medical needs, mental health needs, developmental disability, or  
31.20 other behavioral or physical limitations or disabilities may impact on the classification of  
31.21 an inmate and appropriate housing of same; and

31.22 J. special management inmate status.

31.23 Subp. 2. **Status change.** The inmate classification plan shall specify criteria and  
31.24 procedures for determining and changing the status of an inmate, including custody,

32.1 transfers, override functions, and major changes in programs. The plan shall include an  
32.2 appeal process for classification decisions. The use of any override shall be documented.

32.3 [For text of subp 3, see M.R.]

32.4 **2911.2700 INFORMATION TO INMATES.**

32.5 Subpart 1. **Information made available to inmates.** Copies of policies and rules  
32.6 governing conduct and disciplinary consequences; procedures for obtaining personal  
32.7 hygiene and commissary items; and policies governing visiting, correspondence, bathing,  
32.8 laundry, and clothing and bedding exchange shall be made available to all inmates.

32.9 Information will be made available to disabled inmates including those that are  
32.10 hearing impaired, visually impaired, or unable to speak in a form that is accessible to them.

32.11 Information required under this subpart shall be available in English. There shall be  
32.12 procedures in place to address the language barriers of non-English-speaking inmates.

32.13 Policy and procedures shall ensure, to the extent practical, that inmates who are  
32.14 unable to speak English are provided with the information outlined in this part within 24  
32.15 hours of admission to the facility in a form that is accessible to the inmate.

32.16 Subp. 2. **Program options and activities.** An inmate shall be provided written  
32.17 information on program options and activities within 24 hours of admission, excluding  
32.18 weekends and holidays. A facility staff member shall review program options and  
32.19 activities with inmates who are unable to read, within 24 hours of admission, excluding  
32.20 weekends and holidays.

32.21 A Class I facility is exempt from this requirement with the exception of those  
32.22 approved by the commissioner to house inmates serving alternative sentences.

32.23 Subp. 3. **Official charge, legal basis for detention.** An inmate admitted to a facility  
32.24 shall be advised of the official charge or legal basis for detention and confinement.



33.1 Subp. 4. **Data privacy.** An inmate admitted to a facility shall be advised of rights  
33.2 under Minnesota data privacy statutes with respect to information gathered by the facility  
33.3 and to whom the information will be disseminated.

33.4 **2911.2750 INMATE HYGIENE.**

33.5 Subpart 1. **Personal hygiene.** The facility administrator or designee shall have and  
33.6 implement a written policy for personal hygiene practices of all inmates to include special  
33.7 assistance for those inmates who are unable to care for themselves. A written policy  
33.8 and procedure shall require that articles needed for personal hygiene are available to all  
33.9 inmates, and include at a minimum, the following:

- 33.10 A. soap;
- 33.11 B. toothbrush;
- 33.12 C. toothpaste;
- 33.13 D. shampoo;
- 33.14 E. shaving equipment;
- 33.15 F. materials essential to feminine hygiene;
- 33.16 G. comb; and
- 33.17 H. toilet paper.

33.18 Subp. 2. **Delousing materials.** Delousing materials and procedures shall be  
33.19 approved through consultation with the responsible health authority.

33.20 Subp. 3. **Bathing or showering.** Each inmate shall be permitted daily bathing or  
33.21 showering.

33.22 Subp. 4. **Indigent inmates.** An indigent inmate shall receive the personal hygiene  
33.23 items in subpart 1 at facility expense.

34.1 **2911.2800 ADMINISTRATIVE SEGREGATION.**

34.2 Subpart 1. **Administrative segregation.** Each facility administrator or designee shall  
34.3 develop and implement policies and procedures for administrative segregation.

34.4 [For text of subp 2, see M.R.]

34.5 Subp. 3. [See repealer.]

34.6 Subp. 4. **Policy.** Written policy and procedure shall provide that the status of inmates  
34.7 in administrative segregation is reviewed every seven days. These policies shall provide:

34.8 A. that the review is documented and placed in the inmate's file;

34.9 B. that the inmate in administrative segregation receive visits from the  
34.10 facility administrator or designee a minimum of once every seven days as a part of the  
34.11 administrative review process; and

34.12 C. that the review process that is used to release an inmate from administrative  
34.13 segregation is specified.

34.14 Subp. 5. [See repealer.]

34.15 Subp. 6. **Protective custody.** Written policy and procedure shall provide that an  
34.16 inmate is separated from the general population for purposes of protective custody only  
34.17 when there is documentation that protective custody is warranted and segregation is the  
34.18 least restrictive alternative available.

34.19 [For text of subp 7, see M.R.]

34.20 **2911.2850 INMATE DISCIPLINE PLAN.**

34.21 Subpart 1. **Plan.** A facility shall have an inmate discipline plan that explains the  
34.22 administrative sanctions for specific behaviors, omissions, the administrative process for  
34.23 handling major and minor violations, the right to internal review, and the review process.

35.1 Subp. 2. **Disciplinary segregation.** A facility administrator or designee shall have  
35.2 and implement policies and procedures for disciplinary segregation. An inmate on  
35.3 disciplinary segregation status must be separated from the general population.

35.4 Subp. 3. **Due process.** Disciplinary segregation shall be used only in accordance  
35.5 with due process to include at a minimum:

35.6 [For text of items A to D, see M.R.]

35.7 E. the status of an inmate placed on disciplinary segregation for more than 30  
35.8 continuous days subsequent to a disciplinary hearing shall be reviewed, approved, and  
35.9 documented by the facility administrator or designee at least once every 30 days, and the  
35.10 facility shall develop written policy, procedure, and practice that provides that inmates in  
35.11 disciplinary segregation receive visits from the facility administrator or designee at least  
35.12 once every seven days as a part of the disciplinary segregation review process;

35.13 F. an inmate placed in segregation for an alleged rule violation shall have a  
35.14 disciplinary hearing within 72 hours of segregation, exclusive of holidays and weekends,  
35.15 unless documented cause can be shown for delays. Examples of causes for delay are inmate  
35.16 requests for delay, or logistical impossibility, as in the case of mass disturbances; and

35.17 G. the facility administrator or designee can order immediate segregation when  
35.18 it is necessary to protect the inmate or others. This action is reviewed and documented  
35.19 within three working days.

35.20 Subp. 4. **Other limitations on disciplinary actions.** A facility shall have written  
35.21 policy, procedure, and practice that provides that whenever an inmate in segregation is  
35.22 deprived of any usually authorized item or activity, a report of the action is made and  
35.23 forwarded to the facility administrator.

35.24 [For text of subp 5, see M.R.]

36.1 Subp. 6. **Removing clothing and bedding.** The facility administrator or designee  
36.2 shall have a policy and procedure for removing clothing and bedding from an inmate.  
36.3 The following shall be included:

36.4 A. clothing and bedding shall be removed from an inmate only when the  
36.5 inmate's behavior threatens the health, safety, or security of self, other persons, or property.  
36.6 When appropriate, alternative clothing and bedding shall be issued;

36.7 B. clothing and bedding shall be returned to the inmate as soon as it is reasonable  
36.8 to believe the behavior that caused the action will not continue;

36.9 [For text of items C and D, see M.R.]

36.10 Subp. 7. **Disciplinary records.** A facility shall have written policy and procedure,  
36.11 that provides that, when rule violations require formal resolution, staff members prepare  
36.12 a disciplinary report and forward it to the designated supervisor. Disciplinary reports  
36.13 prepared by staff members shall include the following information:

36.14 [For text of items A to F, see M.R.]

36.15 G. any immediate action taken, including the response to resistance; and

36.16 H. reporting staff member's signature, and date and time report is made.

36.17 **2911.2900 GRIEVANCE PROCEDURE.**

36.18 A written grievance procedure with at least one level of appeal shall be made  
36.19 available to all inmates.

36.20 **2911.3100 INMATE ACTIVITIES AND PROGRAMS.**

36.21 Subpart 1. **Written plan.** A facility administrator or designee shall have and  
36.22 implement a written plan for the constructive scheduling of inmate time. The plan shall:

36.23 A. identify programs offered in the facility and when the programs are offered;

37.1 B. identify persons conducting the program and whether or not the persons are  
37.2 facility staff, external community resources under contract, or volunteers;

37.3 C. be consistent with established legal rights of inmates, type and status of  
37.4 inmates detained in the facility, and rule requirements associated with the facility's  
37.5 classification;

37.6 D. provide inmates with the option to refuse to participate in facility programs,  
37.7 except work assignments and programs required by statute or court order;

37.8 E. when males and females are housed in the same facility, provide comparable  
37.9 opportunities for participation in programs and services; and

37.10 F. require documentation of programs offered and inmates participating in  
37.11 programs.

37.12 Subp. 2. **Practice of religion.** A facility shall have written policy and procedures  
37.13 that grant an inmate the right to practice that inmate's religion.

37.14 Subp. 2a. **Arrangements for religious services and counseling.** A facility shall  
37.15 have either a chaplain with the minimum qualifications of clinical pastoral education or  
37.16 equivalent specialized training and endorsement by the appropriate religious certifying  
37.17 body or a community clergy consultant meeting the qualifications to assist the facility  
37.18 administrator in arranging for religious services and counseling as requested.

37.19 No inmate shall be required to attend religious services. Religious services shall  
37.20 be held in a location that the inmates who do not wish to participate are not exposed  
37.21 to the service.

37.22 Attendance or lack of attendance at religious services shall not be considered a  
37.23 criterion for rights or privileges within the facility.

37.24 The facility administrator or designee in cooperation with the chaplain or community  
37.25 religious resource, plans, directs, and advises on aspects of the religious program,

38.1 including approval and training of both lay and clergy volunteers from faiths represented  
38.2 by the inmate population.

38.3 When a religious leader of an inmate's faith is not represented through chaplaincy  
38.4 staff, community religious resources, or volunteers, the chaplains or community religious  
38.5 resource shall assist the inmate in contacting such a person. That person shall have the  
38.6 appropriate credentials from that faith judicatory and may minister to the inmate with the  
38.7 approval of the chaplain or community religious resource.

38.8 An inmate requesting private interviews or counseling in a setting not capable  
38.9 of being audio monitored with chaplaincy staff, community religious resources, or  
38.10 volunteers, or persons with the approval of the chaplain or community religious resource  
38.11 shall be given the opportunity within the policies as are reasonable and necessary to  
38.12 protect the facility's security.

38.13 Bibles or sacred books of another religion may be made available to inmates by the  
38.14 facility, through local library or other community resources and limited to the inmate's  
38.15 period of confinement.

38.16 Subp. 3. **Library service.** The facility administrator or designee shall develop  
38.17 a library service including access to current leisure reading material such as books,  
38.18 magazines, and newspapers.

38.19 Legal books and references requested by inmates shall be made available to the extent  
38.20 resources permit. The facility shall not be responsible for the purchase of legal books  
38.21 and references used by inmates.

38.22 The facility shall have a designated staff person who coordinates and supervises  
38.23 library services.

38.24 Subp. 4. **Education.** A facility shall have a written policy and procedure that  
38.25 provides for inmate access to educational programs, vocational counseling, and when  
38.26 available, vocational training. When possible, a facility shall arrange to have these

39.1 educational programs delivered in a classroom specifically designed and equipped for  
39.2 educational or vocational programming.

39.3 Class I facilities are exempt from this requirement with the exception of those  
39.4 approved by the commissioner to house inmates serving alternative sentences.

39.5 Text books necessary to complete a course of study, to the extent that local resources  
39.6 permit, shall be made available to inmates. The facility shall not be responsible for the  
39.7 purchase of text books to complete a course of study.

39.8 Subp. 5. **Substance abuse programs.** A facility shall have a written plan for  
39.9 providing services for inmate chemical dependency issues.

39.10 Subp. 6. **Work assignments for adults.** Class II to Class VI facilities shall have  
39.11 a written inmate work assignment plan that provides for inmate work, subject to the  
39.12 number of work opportunities available and the maintenance of facility security. Work  
39.13 assignments must provide:

39.14 A. that adults not under sentence may volunteer to work but shall not be  
39.15 compelled to participate in work beyond maintaining the immediate living area;

39.16 B. eligibility criteria for work activities;

39.17 C. that sentenced inmates shall not be compelled to work more than ten hours  
39.18 per day;

39.19 D. that work shall not be required of an inmate that cannot be done by the  
39.20 inmate due to physical limitations;

39.21 E. work opportunities for disabled inmates; and

39.22 F. inmate working conditions that comply with all applicable federal, state, or  
39.23 local work safety laws, rules, and regulations.

39.24 Subp. 7. **Recreation plan.** The facility administrator or designee shall have a plan  
39.25 providing opportunities for physical exercise and recreational activities for all inmates

40.1 consistent with the facility's classification and design. Class I facilities are exempt from  
40.2 this requirement.

40.3 The plan shall include policies and procedures necessary to protect the facility's  
40.4 security and the welfare of inmates.

40.5 Policy and procedure shall provide:

40.6 A. inmates with access to recreational opportunities and equipment, including  
40.7 seven hours of physical exercise or recreation outside the cell and adjacent dayroom  
40.8 areas per week;

40.9 B. recreational opportunities a minimum of five days per week;

40.10 C. indoor space and equipment for active recreational activities in all Class  
40.11 II to Class VI facilities;

40.12 D. outdoor recreational space and equipment for outdoor recreational  
40.13 programming in all Class VI facilities. The space and equipment shall be provided in a  
40.14 manner consistent with the facility's security classification;

40.15 E. passive and active recreation needs and equipment for a variety of inmates  
40.16 consistent with the facility's classification and offenders served. As an example, activity  
40.17 needs of geriatric, disabled, or geriatric and disabled offenders shall be addressed;

40.18 F. inmates in segregation with a minimum of one hour a day, seven days a  
40.19 week, of exercise outside the inmates' cells, unless security or safety considerations dictate  
40.20 otherwise; and

40.21 G. discretionary access by inmates on segregation status to the same recreational  
40.22 facilities as other inmates unless security or safety considerations dictate otherwise. When  
40.23 inmates on segregation status are excluded from use of regular recreation facilities, the  
40.24 alternative area for exercise used shall be documented.



41.1 **2911.3200 INMATE VISITATION.**

41.2 The facility administrator or designee shall develop and implement an inmate visiting  
41.3 policy. The policy shall be in writing and include:

41.4 A. attorney/client interviews allowed in a manner consistent with Minnesota  
41.5 Statutes, section 481.10;

41.6 B. a schedule of visiting hours that includes the days and times for visits that  
41.7 includes visits during the normal business day, and evenings or weekends;

41.8 C. establishment of a uniform number of permissible visits and the number of  
41.9 visitors permitted per visit;

41.10 D. that an adult inmate be permitted an initial visit with a member or members  
41.11 of the inmate's immediate family at the next regularly scheduled visiting period;

41.12 E. that all facilities schedule a minimum of eight visiting hours per week:

41.13 (1) a minimum of three separate and distinct visiting days per week; and

41.14 (2) 20 minutes' duration minimum for each visit unless the number of  
41.15 persons attempting to visit exceeds the facility's ability to meet this requirement, or the  
41.16 inmate's behavior dictates a need to terminate a visit earlier;

41.17 F. allowed visits for identified members of an inmate's immediate family;

41.18 G. when a visit to an inmate is denied for reasonable grounds on the belief that  
41.19 the visit might endanger the security of the facility, the action and reasons for denial  
41.20 shall be documented;

41.21 H. that visitors register, giving names, addresses, and relationship to inmate;

41.22 I. that any area used for inmate visiting may be subject to audio monitoring,  
41.23 recording, or both. The facility shall use signs and the inmate handbook to inform the

42.1 inmate about audio monitoring and recording. Professional visits shall not be audio  
42.2 recorded, unless a court order has been issued;

42.3 J. that policies for parents, guardians, and attorneys visiting juveniles are  
42.4 unrestrictive as administratively possible and the initial visit of a juvenile by parents,  
42.5 guardians, and attorneys be permitted at any time;

42.6 K. picture identification of visitors be required for identification purposes;

42.7 L. that juvenile children be allowed to visit parents, regardless of age, as deemed  
42.8 appropriate by the parent or guardian accompanying the child and when a dispute over  
42.9 children visiting occurs between the inmate and the parent or legal guardian, the inmate  
42.10 be referred to the court for resolution; and

42.11 M. facility policy and procedures setting forth criteria for authorized friend  
42.12 visiting.

42.13 **2911.3300 CORRESPONDENCE.**

42.14 Subpart 1. **Policy and procedure.** A facility shall have a written policy and  
42.15 procedure that governs inmate correspondence. Policies are available to all staff and  
42.16 inmates and are reviewed annually, and updated as needed.

42.17 Subp. 2. **Volume of mail.** The volume of written mail to or from an inmate shall  
42.18 not be restricted. The amount of mail stored in an inmate's cell may be limited by facility  
42.19 administration.

42.20 Subp. 3. **Inspection and censorship.** A facility must have a written policy and  
42.21 procedure that requires that:

42.22 A. inmate letters, both incoming and outgoing, may be opened and inspected  
42.23 for contraband;

42.24 B. inmates are notified in writing when incoming or outgoing letters are  
42.25 rejected; and

43.1 C. letters shall not be read or censored if they are between an inmate and  
43.2 an elected official, officials of the DOC, attorneys, or other officers of the court, but  
43.3 inspection of incoming mail from the specified class of persons noted may be opened only  
43.4 to inspect for contraband and only in the presence of the inmate.

43.5 Subp. 4. **Money.** Cash, cashiers checks, or money orders received from incoming  
43.6 mail shall be processed according to facility policy.

43.7 Subp. 5. **Postage allowance for indigent inmates.** Indigent inmates shall receive  
43.8 a postage allowance sufficient to maintain communications with the persons listed in  
43.9 subpart 3, item C. Written policy, procedure, and practice must provide that an indigent  
43.10 inmate is provided with a system enabling the inmate to send a minimum of two letters or  
43.11 postcards per week to individuals not listed in subpart 3, item C.

43.12 Subp. 6. **Material detrimental to security.** A facility shall have a written policy  
43.13 that restricts inmate access to materials and information that is considered detrimental to  
43.14 the security and orderly function of the facility.

43.15 **2911.3400 TELEPHONE ACCESS.**

43.16 A facility shall have a written policy and procedure that provides for inmate access  
43.17 to a telephone.

43.18 Attorney/client telephone consultation shall be allowed in a manner consistent with  
43.19 Minnesota Statutes, section 481.10.

43.20 Newly admitted inmates shall be permitted a local or collect long-distance telephone  
43.21 call to a family member or significant other during the admission process.

43.22 Inmates shall be allowed telephone access to maintain contact with family members or  
43.23 significant others. Nonlegal calls may be made at the expense of the inmate. The minimum  
43.24 time allowed per call shall be ten minutes except where there are substantial reasons to  
43.25 justify limitations. Nonlegal telephone conversations may be monitored and recorded.

43.26 Reasons for denial of telephone access shall be documented.

44.1 **2911.3500 VOLUNTEERS.**

44.2 When volunteers are used in facility programs, a written policy and procedure shall  
44.3 provide that a staff member is responsible for coordinating the volunteer service program.

44.4 The policy includes the following elements:

44.5 A. lines of authority, responsibility, and accountability for the volunteer services;

44.6 B. a procedure for the screening and selection of volunteers;

44.7 C. an orientation training program appropriate to the nature of the assignment;

44.8 D. a requirement that volunteers agree in writing to abide by all facility rules  
44.9 and policies, with emphasis on security and confidentiality of information; and

44.10 E. a statement that the administrator may discontinue a volunteer activity at  
44.11 any time by written notice.

44.12 **2911.3600 CLOTHING AND BEDDING PROPERTY.**

44.13 Subpart 1. [Renumbered 2911.3650 subp 2]

44.14 Subp. 2. [Renumbered 2911.3650 subp 3]

44.15 Subp. 3. [Renumbered 2911.3650 subp 4]

44.16 Subp. 4. [Renumbered 2911.3675 subp 3]

44.17 Subp. 5. **Quantity of clothing.** The facility shall have available sufficient clothing to  
44.18 ensure each inmate clean clothing appropriate to the season.

44.19 Subp. 6. **Excess personal clothing and abandoned property.** An inmate's excess  
44.20 personal clothing, abandoned property, or both shall be picked up by the inmate, or  
44.21 released to a designated family member or friend from whom a signed property release  
44.22 has been secured. Property shall be stored in containers designed for this purpose and  
44.23 properly identified, inventoried, and secured. A documented disposition on all abandoned  
44.24 property shall be maintained.

45.1 [For text of subp 7, see M.R.]

45.2 Subp. 8. **Protective clothing.** A facility shall have written policy, procedure, and  
45.3 practice that provides for the issue of special and, where appropriate, protective clothing  
45.4 and equipment to inmates participating in special work assignments. The clothing is  
45.5 available in quantities that permit exchange as frequently as the work assignment requires.

45.6 **2911.3650 INMATE UNIFORM ISSUE AND BEDDING ALLOWANCE.**

45.7 Subpart 1. **Bedding and linen.** An inmate admitted to the facility shall be issued one  
45.8 bath towel, one washcloth, one clean, fire-retardant mattress, two sheets or one sheet and a  
45.9 clean mattress cover, blankets sufficient to provide comfort under existing temperature  
45.10 conditions one pillow and one pillow case, if applicable.

45.11 Subp. 2. **Clothing.** An inmate admitted to a facility for 72 hours or more and  
45.12 assigned to a living unit shall be issued a set of facility clothing.

45.13 Subp. 3. **Change of clothing.** An inmate issued a change of clothing upon admission  
45.14 into the facility may have personal clothing returned after laundering at the discretion of  
45.15 the facility administrator.

45.16 Subp. 4. **Issue.** The facility shall provide socks and suitable outer garments and  
45.17 undergarments.

45.18 **2911.3675 LAUNDRY SERVICES AND LINEN EXCHANGE.**

45.19 Subpart 1. **Laundry.** Laundry services shall be managed so that daily clothing,  
45.20 linen, and bedding needs are met.

45.21 Subp. 2. **Linen.** Clean linens shall be furnished once each week, at a minimum.  
45.22 There shall be a posted schedule for linen exchange. Inmates detained in admission or  
45.23 release processing areas for periods of time not exceeding eight hours need not be issued  
45.24 linens and bedding.

46.1 Subp. 3. **Exchanged.** Clothing shall be exchanged twice each week, at a minimum.  
46.2 Clothing exchange times shall be made available to inmates.

46.3 **2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES.**

46.4 Subpart 1. **Emergency plan.** A facility shall have a written disaster plan. The plan  
46.5 shall include policies and procedures designed to protect the public by securely detaining  
46.6 inmates who represent a danger to the community or to themselves when the facility must  
46.7 be evacuated in total. The plan shall also include:

46.8 A. location of alarms and fire fighting equipment;

46.9 B. an emergency drill policy as follows:

46.10 (1) at least annual drills at all facility locations; and

46.11 (2) drills shall be conducted even when evacuation of extremely dangerous  
46.12 inmates may not be included;

46.13 C. specific assignments and tasks for personnel;

46.14 D. persons and emergency departments to be notified;

46.15 E. procedure for evacuation of inmates; and

46.16 F. arrangements for temporary confinement of inmates.

46.17 Subp. 2. **Quarterly review of emergency procedures.** There shall be a review of  
46.18 emergency procedures once every three months. The review shall include:

46.19 [For text of items A to F, see M.R.]

46.20 Subp. 3. **Prompt evacuation of inmates.** A facility shall have a written policy  
46.21 and procedure that specifies the means for the prompt evacuation of inmates from an  
46.22 area of emergency.

46.23 Subp. 4. **Reporting of unusual occurrences.** Incidents of an unusual or serious  
46.24 nature shall be reported within ten days of the incident in writing to the Department of

- 47.1 Corrections in the format required by the department. The reports shall include the names  
47.2 of persons involved, staff and inmates, nature of the unusual occurrence, actions taken,  
47.3 and the date and time of the occurrence. Unusual occurrences requiring reporting to the  
47.4 DOC include such occurrences as:
- 47.5 A. attempted suicide;
  - 47.6 B. suicide;
  - 47.7 C. homicide;
  - 47.8 D. death, by means other than suicide or homicide;
  - 47.9 E. serious injury or illness subsequent to detention including incidents resulting  
47.10 in hospitalization for medical care;
  - 47.11 F. hospitalization associated with mental health needs;
  - 47.12 G. attempted escape or escape from a secured facility;
  - 47.13 H. incidents of fire requiring medical treatment of staff or inmates or a response  
47.14 by a local fire authority;
  - 47.15 I. riot;
  - 47.16 J. assaults of one inmate by another that result in criminal charges or outside  
47.17 medical attention;
  - 47.18 K. assaults of staff by inmates that result in criminal charges or outside medical  
47.19 attention;
  - 47.20 L. injury to inmates through response to resistance by staff controlling inmate  
47.21 behavior;
  - 47.22 M. occurrences of infectious diseases and action taken relative to same when a  
47.23 medical authority has determined that the inmate must be isolated from other inmates; and

48.1 N. reporting of all notices of intent to file litigation against the facility resulting  
48.2 from matters related to the detention or incarceration of an inmate;

48.3 O. sexual misconduct, such as inmate on inmate, staff on inmate, and inmate on  
48.4 staff; and

48.5 P. use of sexual materials, electronic media for sexual purposes, or both.

48.6 In the event of an emergency such as serious illness or injury where death may  
48.7 be imminent, individuals designated by the inmate shall be notified. Permission for  
48.8 notification, if possible, shall be obtained from the inmate.

48.9 Subp. 5. **Inmate death.** A facility shall have a written policy and procedure that  
48.10 specifies actions to be taken in the event of an inmate death. When an inmate death occurs:

48.11 [For text of items A to C, see M.R.]

48.12 D. records of a deceased inmate shall be retained for a period of time specified  
48.13 by county policy;

48.14 E. the facility administrator or designee shall ensure observance of all pertinent  
48.15 laws and allow appropriate investigating authorities full access to all facts surrounding  
48.16 the death; and

48.17 F. in the event the death involves a "vulnerable adult" notification procedures  
48.18 shall be followed in a manner consistent with statutory requirements.

48.19 Subp. 6. **Work stoppage.** A facility shall have a written plan that provides for  
48.20 continuing operations in the event of a work stoppage or other job action. A copy of  
48.21 the plan must be available to all supervisory personnel who are required to familiarize  
48.22 themselves with the plan.

48.23 Subp. 7. **Mass arrest.** A facility shall have a written plan that governs space  
48.24 arrangements and procedures to be followed in the event of a mass arrest that exceeds the  
48.25 approved capacity of the facility established under parts 2911.0330 to 2911.0370.



49.1 **2911.3800 FOOD HANDLING PRACTICES.**

49.2 Food service shall be provided according to Minnesota Department of Health rules.

49.3 **2911.3900 DIETARY ALLOWANCES.**

49.4 Subpart 1. **Generally.** Nutritional needs of adult inmates, and juvenile inmates  
49.5 housed in an adult facility, shall be met in accordance with inmate needs or as ordered by a  
49.6 medical professional, and meet the dietary allowances contained in this part which are  
49.7 based upon 2005 MyPyramid guidelines for a weekly 2,400 calories per day and meeting  
49.8 the 2002 Dietary Reference Intakes. A facility governed by this chapter shall have menu  
49.9 planning sufficient to provide each inmate the specified food servings per day contained  
49.10 in subparts 2 to 7.

49.11 Subp. 2. **Meat or protein group.** Two or more servings per day of meat or protein  
49.12 shall be provided. A serving of meat or protein is equal to 14 grams or more of protein  
49.13 and includes food such as:

49.14 A. two to three ounces cooked weight or three to four ounces raw weight of  
49.15 any meat without bone, such as beef, veal, pork, lamb, poultry, and variety meats such  
49.16 as liver or giblets;

49.17 B. two slices prepared luncheon meat equal to two to three ounces by weight;

49.18 C. two eggs;

49.19 D. two to three ounces cooked weight of fresh or frozen fish or shellfish, or  
49.20 one-half cup canned fish;

49.21 E. one-half cup cooked dry beans, peas, or lentils;

49.22 F. one ounce of nuts or seeds or two tablespoons of peanut butter;

49.23 G. three ounces of natural or processed cheese or three-fourths cup of cottage  
49.24 cheese, not to exceed six ounces per week as a meat alternate; or

50.1 H. two ounces of equivalent meat alternate, such as textured vegetable protein,  
50.2 as certified by the United States Department of Agriculture, Nutrition Standards in the  
50.3 National School Lunch and School Breakfast Programs, Code of Federal Regulations,  
50.4 title 7, parts 210 and 220.

50.5 Subp. 3. **Dairy group.** A minimum of two servings per day of dairy shall be  
50.6 provided for adults, with four servings required for juveniles and pregnant females. This  
50.7 includes milk that is pasteurized and fortified with vitamins A and D (fluid, evaporated,  
50.8 dry), cheese, yogurt, and ice cream. One serving per day may be from foods other than  
50.9 fluid milk. A serving is equivalent to eight ounces of fluid milk and provides at least  
50.10 250 mg calcium, such as:

50.11 A. 1-1/4 ounce American cheese;

50.12 B. eight ounces yogurt;

50.13 C. two cups ice cream; or

50.14 D. eight ounces milk alternate beverage, fortified with a minimum of 250 mg  
50.15 calcium and vitamins A and D.

50.16 Subp. 4. **Vegetable and fruit group.** Five or more servings per day of vegetables  
50.17 and fruits shall be provided. A serving is one-half cup vegetable or fruit; one medium  
50.18 apple, orange, banana, potato, half a grapefruit, one cup raw leafy greens, one-fourth cup  
50.19 dried fruit, or four ounces 100 percent juice. Potatoes may be included once daily as a  
50.20 vegetable. One serving of a rich vitamin C source must be provided daily and one serving  
50.21 of a rich vitamin A source must be provided four times per week.

50.22 Rich vitamin C sources include mostly fresh or raw produce, such as: citrus fruits,  
50.23 tomatoes, strawberries, leafy green vegetables, melon, bell peppers, and the broccoli and  
50.24 cabbage families; and may also include foods such as skin-on potatoes, sweet potatoes,  
50.25 and vitamin C-fortified real fruit juice.

51.1 Rich vitamin A sources include foods such as: apricots, cantaloupe, carrots, mixed  
51.2 vegetables with carrots, winter or yellow squash, pumpkin, sweet potatoes or yams,  
51.3 spinach, greens (collard, kale, chard, mustard, beet or turnip), liver (counted under meat),  
51.4 and broccoli.

51.5 Subp. 5. [See repealer.]

51.6 Subp. 6. **Bread or cereal.** Six or more servings per day of whole grain or enriched  
51.7 cereal and bread products shall be provided. Whole grains are encouraged on a daily basis  
51.8 with the following sources suggested: oatmeal, grits, whole grain ready-to-eat cereal,  
51.9 whole wheat bread, corn tortillas, corn bread, plain popcorn, brown rice, and barley soup  
51.10 and rye crackers. A serving is defined as:

51.11 A. one slice of bread or one ounce of bread product, such as sliced bread, buns,  
51.12 biscuits, muffins, pancakes, waffles, sweet rolls, stuffing, crackers, or bagels;

51.13 B. one-half cup cooked cereal, pasta, rice, or egg noodles;

51.14 C. three-fourths cup dry cereal;

51.15 D. one six-inch tortilla; or

51.16 E. three cups popped popcorn.

51.17 Subp. 7. **Fat group.** Servings of butter, fortified margarine, gravy, salad dressing,  
51.18 or salad oil may be used in minimal amounts to make food palatable. Facilities are  
51.19 encouraged to reduce sources of saturated and trans fats.

51.20 Subp. 8. **Additional servings.** Additional servings of the foods in subparts 2 to 4  
51.21 may be used to meet caloric requirements, in addition to soups, beverages, desserts, and  
51.22 condiments. Added sugars should be limited to reasonable amounts recommended for  
51.23 a healthy diet.

51.24 Subp. 9. [See repealer.]

52.1 **2911.4000 ANNUAL FOOD SERVICE REVIEW.**

52.2 A facility's menu content and cycle shall be reviewed at least once annually by a  
52.3 registered dietitian or nutritionist to ensure compliance with part 2911.3900. The review  
52.4 and findings shall be documented and on file.

52.5 **2911.4100 MEALS.**

52.6 Subpart 1. **Evening meal.** There shall not be more than 14 hours between a  
52.7 substantial evening meal and breakfast. A substantial evening meal is classified as a  
52.8 serving of three or more menu items at one time to include a high quality protein such  
52.9 as meat, fish, eggs, or cheese. The meal shall represent no less than 20 percent of the  
52.10 day's total nutrition requirements.

52.11 [For text of subps 2 and 3, see M.R.]

52.12 Subp. 4. **Hot meal minimum.** A minimum of one of the three meals served daily  
52.13 shall be a hot meal.

52.14 **2911.4200 THERAPEUTIC DIETS.**

52.15 Subpart 1. **Medical diets.** A facility housing inmates in need of medically prescribed  
52.16 therapeutic diets shall have documentary evidence that the diets are dietitian-approved  
52.17 and provided as ordered by health services. A healthier general menu contributing to the  
52.18 management of chronic diseases may minimize the need for medical diets.

52.19 Subp. 2. **Food-allergy diets.** The seven most common food allergies causing  
52.20 anaphylactic reactions are foods such as: fish, shellfish, tree nuts, peanuts, soy, wheat, and  
52.21 milk. A dietitian-approved allergy diet shall be provided as necessary and shall meet the  
52.22 nutritional guidelines under part 2911.3900.

52.23 Subp. 3. **Vegetarian diets.** A facility may provide reasonable animal protein  
52.24 substitutions at meals for inmates requesting vegetarian or vegan diets. A vegetarian or

53.1 vegan diet must be dietitian-approved and meet the nutritional guidelines under part  
53.2 2911.3900.

53.3 Subp. 4. **Pregnancy.** A facility shall develop a diet that meets the increased calcium  
53.4 and calorie requirements of pregnant inmates. Pregnant inmates shall be provided a  
53.5 substitution or supplements as ordered by the medical professional or health services.  
53.6 A pregnancy diet must be dietitian-approved and meet the nutritional guidelines under  
53.7 part 2911.3900.

53.8 **2911.4300 RELIGIOUS DIETS.**

53.9 A facility shall have a written policy and procedure that provides for special diets or  
53.10 meal accommodations for inmates whose religious beliefs require adherence to religious  
53.11 dietary laws. Creation of religious diets shall involve a dietitian and strive to meet the  
53.12 nutritional guidelines under part 2911.3900.

53.13 **2911.4400 USE OF FOOD IN DISCIPLINE.**

53.14 Food shall not be withheld as punishment.

53.15 **2911.4500 SUPERVISION OF MEAL SERVING.**

53.16 Meals shall be served under the direct supervision of staff.

53.17 **2911.4600 MENU RECORDS.**

53.18 All menus shall be planned, dated, and available for review at least one week in  
53.19 advance. Notations shall be made of any substitutions in the meals actually served, and  
53.20 substitutions shall be of equal nutritional value.

53.21 **2911.4700** [Renumbered 2911.4800 subp 5]

53.22 **2911.4800 COMMISSARY.**

53.23 Subpart 1. **List of approved commissary items to be purchased by staff member**  
53.24 **at local store.** A facility with an approved capacity of more than 50 inmates shall establish,  
53.25 maintain, and operate a commissary. The facility shall have a written policy and procedure

54.1 regarding commissary operation that must allow an inmate to purchase approved items not  
54.2 furnished by the facility. Class I facilities are not required to provide commissary services.

54.3 Subp. 2. [See repealer.]

54.4 Subp. 3. [See repealer.]

54.5 Subp. 4. [See repealer.]

54.6 **2911.4900 SECURITY INSPECTION.**

54.7 The facility shall have a written policy and procedure to require the facility  
54.8 administrator or designee to inspect all areas within the security perimeter, and equipment  
54.9 at least monthly and initiate corrective action if needed.

54.10 **2911.4950 RESPONSE TO RESISTANCE.**

54.11 Subpart 1. **Policies and procedures.** The facility administrator or designee shall  
54.12 have written policies and procedures to provide for response to resistance. All personnel  
54.13 directly involved in the response shall submit written reports to the facility administrator  
54.14 or designee no later than the conclusion of the shift. Submission of these reports may be  
54.15 delayed when a staff member sustains serious injury, hospitalization, or both.

54.16 Subp. 2. **Instruments of restraint; limitations.** Instruments of restraint shall not be:

54.17 A. used as punishment; and

54.18 B. applied for any longer time than is necessary.

54.19 Subp. 3. **Use of instruments of restraint.** Instruments of restraint shall not be  
54.20 used except in the following circumstances:

54.21 A. as a precaution against escape during a transfer;

54.22 B. on medical grounds by direction of the health authority or attending physician  
54.23 or psychologist;

55.1 C. by order of the facility administrator or person in charge in order to prevent  
55.2 an inmate from injuring self or others or from damaging property; or

55.3 D. for routine inmate movement.

55.4 Subp. 4. **Equipment.** The issue, storage, inspection, and use of chemical agents,  
55.5 impact devices, electronic control devices, and other security devices shall be governed  
55.6 by written policy and procedure.

55.7 All unissued security devices and equipment shall be stored in a secure, readily  
55.8 accessible depository located outside inmate housing and activity areas, and inventoried at  
55.9 least monthly to determine condition and expiration dates of the devices and equipment.

55.10 Subp. 5. **Firearms.** Facility policy and procedure shall provide for the use of  
55.11 firearms and include the following:

55.12 A. except in an emergency situation, firearms are not permitted within the secure  
55.13 perimeter; and

55.14 B. there shall be a secure weapons locker located outside the security perimeter  
55.15 of the facility.

55.16 Subp. 6. **Training.** Facility policy shall provide that all personnel authorized to use  
55.17 security equipment and instruments of restraint are trained according to manufacturer's  
55.18 specifications or facility's training requirements.

55.19 Subp. 7. **Record.** The facility shall maintain a written record of emergency  
55.20 distribution of security devices and equipment.

55.21 **2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING**  
55.22 **CHECKS.**

55.23 Subpart 1. **Post orders and accountability.** There shall be written orders for every  
55.24 security post that are reviewed annually and updated if necessary. A written policy and  
55.25 procedure shall require that personnel read, sign, and date applicable post orders at least

56.1 annually, or as needed for new posts or revisions. Medium and large facilities with  
56.2 multiple posts may need to conduct these reviews more often.

56.3 Subp. 2. [See repealer.]

56.4 Subp. 3. **Security post records.** Custody staff shall maintain a record and prepare  
56.5 shift reports that document routine and emergency situations and unusual incidents.  
56.6 Records shall be maintained according to the county retention schedule.

56.7 Subp. 4. **Counting.** A facility shall have a written policy describing the system of  
56.8 counting inmates.

56.9 Formal counts shall be completed with an official entry made in the daily log at  
56.10 least once each eight hours.

56.11 The facility shall maintain a system that identifies the whereabouts of all inmates in  
56.12 custody and includes a system of accountability for inmates approved for temporary  
56.13 absences from their assigned housing units.

56.14 A written policy and procedure shall provide that staff regulate inmate movement.

56.15 Subp. 5. **Well-being.** A facility shall have a system providing for well-being checks  
56.16 of inmates.

56.17 A written policy and procedure shall provide that all inmates are personally observed  
56.18 by a custody staff person at least once every 30 minutes. Thirty-minute checks should  
56.19 be staggered. If a well-being check does not occur due to an emergency, it must be  
56.20 documented in the jail log and have supervisory review and approval.

56.21 More frequent observation is required for those inmates of a special need classification  
56.22 who may be harmful to themselves. Examples of inmates of a special need classification  
56.23 include those classified as potentially suicidal, or as mentally ill, or those experiencing  
56.24 withdrawal from drugs or alcohol.

56.25 **2911.5100** [Renumbered 2911.2525]

56.26 **2911.5200** [Renumbered 2911.2550]



57.1 **2911.5300 SEARCHES, SHAKEDOWNS, AND CONTRABAND CONTROL.**

57.2 Subpart 1. **Contraband control.** A facility shall have a written policy and procedure  
57.3 that provides for searches of facilities, inmates, and inmate property to control contraband  
57.4 and provide for its disposition.

57.5 Subp. 2. **Body searches.** A facility shall have a written policy and procedure that  
57.6 provides for pat, strip, and body cavity searches in accordance with law.

57.7 Subp. 3. **Facility access.** A facility shall have a written policy and procedure that must  
57.8 specify the circumstances under which persons and personal property may be searched.

57.9 Persons who seek to enter the security perimeter of the facility shall not be permitted  
57.10 admission if they refuse to submit to a requested search.

57.11 Subp. 4. **Daily inspections.** A facility shall be inspected at least daily for contraband,  
57.12 evidence of breaches in security, and inoperable security equipment, and shall document  
57.13 the inspection.

57.14 Subp. 5. **Delivery inspection.** Materials delivered to or transported from the  
57.15 facility's security perimeter shall be inspected for contraband prior to distribution.

57.16 **2911.5400** [Renumbered 2911.5550]

57.17 **2911.5450 DANGEROUS MATERIALS.**

57.18 A facility shall have a written policy and procedure that specifies that materials  
57.19 dangerous to either security or safety shall be properly secured.

57.20 Storage and use of flammable, toxic, and caustic materials must be in accordance with  
57.21 all applicable laws and regulations of governing jurisdictions.

57.22 The policy must cover control and use of tools and culinary and medical equipment.

57.23 **2911.5500** [Renumbered 2911.5450]

58.1 **2911.5550 LOCKS AND KEYS.**

58.2 Subpart 1. **General.** Keys or other access control devices to security locks shall be  
58.3 properly tagged and stored in a secure cabinet within a secure area, and out of reach of  
58.4 the inmates or the public.

58.5 At least one complete functional set of facility keys shall be kept on hand for  
58.6 replacement or emergency purposes.

58.7 Keys that serve a critical security purpose shall be easily identifiable and never  
58.8 issued except upon order of the facility administrator or person in charge, and according  
58.9 to established procedure.

58.10 No security keys shall be made available to inmates regardless of status.

58.11 Subp. 2. **Lock policy.** A facility shall have a written policy and procedure that  
58.12 requires that all security perimeter entrances, control center doors, and housing unit doors  
58.13 are kept locked, except when used for admission or exit of employees, inmates, or visitors,  
58.14 and in an emergency. A facility equipped with a sally port shall ensure that only one of the  
58.15 doors of a sally port is opened at any point in time for entry or exit purposes.

58.16 Subp. 3. **Regular testing.** Locks to security doors or gates shall be tested for proper  
58.17 function at least weekly to ensure proper operation.

58.18 Subp. 4. **Inoperable locks.** A lock to a security door or gate shall not be inoperable  
58.19 or left in a nonworking condition.

58.20 An inmate shall not be secured in a cell or area that has inoperable locks.

58.21 Subp. 5. **Keys.** A facility shall have a written policy and procedure that provides for  
58.22 the control and use of keys and other access control devices.

58.23 **2911.5700 COUNT PROCEDURE CHECK.**

58.24 Subpart 1. [Renumbered 2911.5000 subp 4]

58.25 Subp. 2. [Renumbered 2911.5000 subp 5]

59.1 **2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES.**

59.2 Subpart 1. **Availability of resources, general.** Under the direction of a health  
59.3 authority, a facility shall develop a written policy and procedure that provides for the  
59.4 delivery of health care services, including medical, dental, and mental health services.

59.5 Subp. 2. **Health care.** Medical, dental, and mental health matters involving clinical  
59.6 judgments are the sole province of the responsible physician, dentist, and psychiatrist or  
59.7 qualified psychologist respectively; however, security regulations applicable to facility  
59.8 personnel also apply to health personnel.

59.9 Subp. 3. **Health care policy review.** Facility policy shall ensure that each policy,  
59.10 procedure, and program in the health care delivery system is reviewed and documented at  
59.11 least annually under the direction of the health authority and revised as necessary.

59.12 Subp. 4. **Emergency health care.** A facility shall develop a written policy and  
59.13 procedure that requires that the facility provide 24-hour emergency care availability as  
59.14 outlined in a written plan, which includes provisions for the following arrangements:

- 59.15 A. emergency evacuation of the inmate from within the facility;
- 59.16 B. use of an emergency medical vehicle, available on a 24-hour basis;

59.17 [For text of items C to E, see M.R.]

59.18 Subp. 5. **Health care liaison.** In a facility without full-time qualified health care  
59.19 personnel, a designated health-trained staff member may act as liaison to coordinate the  
59.20 health care delivery in the facility under the direction of the health authority.

59.21 Subp. 6. **Medical screening.** A facility shall have a written policy and procedure  
59.22 that requires medical screening is performed and recorded by trained staff on all inmates  
59.23 on admission to the facility. The findings are to be recorded in a manner approved by the  
59.24 health authority. The screening process shall include procedures relating to:

- 59.25 A. Inquiry into:

60.1 (1) current illness and health problems, including dental emergencies, and  
60.2 other infectious diseases;

60.3 (2) medication taken and special health requirements;

60.4 (3) use of alcohol and other drugs that include types of drugs used, mode of  
60.5 use, amounts used, frequency used, date or time of last use, and history of problems that  
60.6 may have occurred after ceasing use, for example, convulsions;

60.7 (4) past and present treatment or hospitalization for mental illness or  
60.8 attempted suicide;

60.9 (5) other health problems designated by the health authority; and

60.10 (6) signs and symptoms of active tuberculosis to include weight loss, night  
60.11 sweats, persistent cough lasting three weeks or longer, coughing up blood, low grade  
60.12 fever, ~~test within last three months~~ fatigue, chest pain, prior history of active tuberculosis  
60.13 disease, and results, and tuberculin skin test of previous tuberculin skin or blood testing.

60.14 B. Observations of:

60.15 (1) behavior that includes state of consciousness, mental status, appearance,  
60.16 conduct, tremor, and sweating; and

60.17 (2) body deformities, trauma markings, body piercings, bruises, lesions,  
60.18 and jaundice.

60.19 [For text of item C, see M.R.]

60.20 Subp. 7. **Health care follow-up.** A facility shall develop written policy and  
60.21 procedures that require that an inmate who presents with a chronic or persistent medical  
60.22 condition be provided with a health care follow-up.

61.1 Subp. 8. **Health complaints.** A facility shall develop a written policy and procedure  
61.2 that requires that inmates' health complaints are acted upon daily by health-trained staff,  
61.3 followed by triage and treatment by health care personnel if indicated.

61.4 Subp. 9. **Sick call.** A facility shall develop a written policy and procedure that requires  
61.5 that there is a continuous response to health care requests and that sick call, conducted by  
61.6 a physician or other health care personnel is available to each inmate as follows:

61.7 A. in small facilities of less than 60 inmates, sick call is held once per week  
61.8 at a minimum;

61.9 B. in medium sized facilities of 60 to 200 inmates, sick call is held at least  
61.10 three days per week;

61.11 [For text of items C and D, see M.R.]

61.12 [For text of subp 10, see M.R.]

61.13 Subp. 11. **Examinations.** Examinations, treatments, and procedures affected by  
61.14 informed consent standards governed by state or federal law shall be observed for inmate  
61.15 care.

61.16 The informed consent of the parent, guardian, or legal custodian must be obtained  
61.17 when required by law.

61.18 Where health care treatment must be provided against an inmate's will, it must be  
61.19 provided according to law.

61.20 Subp. 12. **Ambulance services.** Ambulance services shall be available on a  
61.21 24-hour-a-day basis.

61.22 **2911.5900 POSTING OF AVAILABLE RESOURCES.**

61.23 A listing of telephone numbers of the medical, dental, mental health, and ambulance  
61.24 services available shall be posted at the facility's primary staff control station along with a  
61.25 schedule of availability.

62.1 **2911.6000 FIRST AID.**

62.2 Subpart 1. [See repealer.]

62.3 Subp. 2. **First aid equipment.** Facility policy shall require that first aid kits are  
62.4 available in designated areas of the facility.

62.5 Subp. 3. [Renumbered 2911.6200 subp 1a]

62.6 **2911.6100** [Renumbered 2911.1350]

62.7 **2911.6200 MEDICAL AND DENTAL RECORDS.**

62.8 Subpart 1. [Renumbered subp 1b]

62.9 Subp. 1a. **Medical and dental records.** A facility shall record complaints of illness  
62.10 or injury and actions taken. Medical or dental records are maintained on inmates under  
62.11 medical or dental care. Records shall include:

62.12 A. the limitations and disabilities of the inmate;

62.13 B. instructions for inmate care;

62.14 C. orders for medication including stop date;

62.15 D. any special treatment or diet;

62.16 E. activity restriction; and

62.17 F. times and dates when the inmate was seen by medical personnel.

62.18 Medical and dental records shall be available to staff for consultation in case of  
62.19 illness and for recording administration of medications.

62.20 Subp. 1b. **Release of information consent forms.** Release of information consent  
62.21 forms must comply with applicable federal and state regulations.

63.1 Subp. 2. **Data practices.** The medical record file shall be maintained separately  
63.2 and according to the Minnesota Government Data Practices Act, Minnesota Statutes,  
63.3 chapter 13.

63.4 Subp. 2a. **Sharing information.** The responsible physician or health care personnel  
63.5 shall share with the facility administrator information regarding an inmate's medical  
63.6 management, security, and ability to participate in programs.

63.7 Subp. 3. **Available information.** Medical record file information available to  
63.8 health-trained staff and custody personnel shall minimally include summary medical  
63.9 information provided by the health authority or health care personnel that ensures  
63.10 sufficient detail to allow health-trained staff persons or other custody personnel to ensure  
63.11 medical care of inmates in their custody in a manner consistent with that prescribed by the  
63.12 responsible physician or health care personnel.

63.13 Subp. 4. [See repealer.]

63.14 Subp. 5. [Renumbered subp 2a]

63.15 Subp. 6. **Transfer of records.** A facility shall have a written policy and procedure  
63.16 regarding the transfer of health records and information that establishes the following  
63.17 requirements:

63.18 A. summaries or copies of the health record are sent to the facility to which the  
63.19 inmate is transferred. Upon the request and written authorization of the inmate, physicians  
63.20 or medical facilities in the community shall be provided health record information; and

63.21 [For text of item B, see M.R.]

63.22 **2911.6300** [Renumbered 2911.2750]

64.1 **2911.6400 DELIVERY, SUPERVISION, AND CONTROL OF MEDICATION.**

64.2 In consultation with the health authority, a facility administrator shall have a written  
64.3 policy and procedure for the secure storage, delivery, administration, and control of  
64.4 medication according to parts 2911.6500 to 2911.6800.

64.5 **2911.6500 STORAGE.**

64.6 Subpart 1. **Locked area.** Medication shall be stored in a locked area. The storage  
64.7 area shall be kept locked when not in use by authorized staff.

64.8 Subp. 2. **Refrigeration.** Medication requiring refrigeration shall be refrigerated  
64.9 and secured and the temperature checked daily. There must be separate refrigeration  
64.10 for medications only.

64.11 Subp. 3. **Access.** Inmates shall not be permitted access to medication storage. Only  
64.12 health-trained staff or health care personnel shall have access to keys for the medication  
64.13 storage area.

64.14 Subp. 4. **Medication.** Stock supplies of prescription medications may be maintained  
64.15 at the discretion and upon the approval of the facility's health authority. Prescription  
64.16 medication shall be kept in its original container, bearing the original label. Poisons  
64.17 and medication intended for external use shall be clearly marked. A limited quantity  
64.18 of life-saving prescription medications as approved by the medical authority may be  
64.19 maintained in emergency kits.

64.20 Subp. 5. **Controlled substances.** There shall be a procedure for maximum security  
64.21 storage of and accountability for controlled substances.

64.22 Subp. 6. **Needles and other medical sharps.** There shall be a written policy and  
64.23 procedure for the control and disposal of medical sharps and supplies. Medical sharps  
64.24 and supplies when used or stored in inmate housing areas shall be accounted for and  
64.25 secured in a locked area.



65.1 **2911.6600 DELIVERY.**

65.2 Subpart 1. **Delivering medication.** A person delivering medication to an inmate  
65.3 must do so under the direction of the responsible health authority or health care personnel.

65.4 Subp. 2. **Training.** Only persons who have received training appropriate to this  
65.5 assignment may deliver medication.

65.6 Subp. 3. **Refresher training.** A nonmedical staff person delivering medication shall  
65.7 receive refresher training a minimum of once every three years.

65.8 Subp. 4. **Documentation.** Initial and refresher training must be documented.

65.9 Subp. 5. **Recording deliveries.** A person responsible for delivering medications  
65.10 shall do so according to orders, and record the delivery of medications in a manner  
65.11 approved by the health care authority.

65.12 Subp. 6. **Deliveries by health-trained staff.** Medication shall be delivered to an  
65.13 inmate by health-trained staff. An inmate shall administer the inmate's medication under  
65.14 staff supervision.

65.15 Subp. 7. **Identification procedures.** There shall be a written procedure for the  
65.16 identification of the recipient of the medication.

65.17 Subp. 8. **Oral ingestion procedures.** There shall be procedures for confirming that  
65.18 medication delivered for oral ingestion has been ingested.

65.19 Subp. 9. **Adverse reaction reports.** There shall be procedures for health-trained  
65.20 staff to report any adverse reaction incidents to health care personnel. The adverse  
65.21 reaction to a drug shall be documented.

65.22 Subp. 10. **Refusal of prescribed medications.** There shall be procedures for  
65.23 health-trained staff to report an inmate's refusal of prescribed medication to the attending  
65.24 physician, responsible physician, or health care personnel. The refusal and directives by  
65.25 the health care personnel shall be documented.

66.1 Subp. 11. **No medication deprivation punishment.** An inmate shall not be deprived  
66.2 of medication as a means of punishment.

66.3 Subp. 12. **Inmate medication delivery prohibited.** Delivery of medication by  
66.4 inmates is prohibited.

66.5 Subp. 13. [See repealer.]

66.6 Subp. 14. **Expiration of medication order.** Health care personnel shall be notified  
66.7 of impending expiration of a medication order so that it can be determined whether the  
66.8 medication should be continued or altered.

66.9 Subp. 15. **Nonprescription medication.** Over-the-counter nonprescription  
66.10 medication available to inmates shall be approved by health care personnel. Delivery of  
66.11 nonprescription medication by custody staff shall be documented.

66.12 Subp. 16. **Keep-on-person medications.** There shall be a policy and procedure for  
66.13 keep-on-person medications that provides for:

66.14 A. medications identified and approved by the health authority as appropriate  
66.15 for self-administration and storage in an inmate's cell;

66.16 B. procedures for an inmate's overdose of the medication;

66.17 C. consequences if too much medication is found in the inmate's possession;

66.18 D. how the distribution of medications under this subpart is going to be  
66.19 documented; and

66.20 E. nonprescription medications, if any, that are available to inmates through  
66.21 vending machines or commissary.

66.22 Keep-on-person medications shall be documented for each inmate.

67.1 **2911.6700 ADMINISTRATION.**

67.2 Subpart 1. **Injection.** Medication administered by injection shall be given by a  
67.3 physician or health care personnel.

67.4 Subp. 2. **Insulin.** Insulin-dependent diabetic inmates shall be permitted to  
67.5 self-administer insulin under direct health-trained staff supervision.

67.6 Subp. 3. **Topical medication.** Topical medications and eye or ear drops may be  
67.7 permitted for inmate self-administration as directed and observed by health care personnel.

67.8 **2911.6800 CONTROL.**

67.9 Subpart 1. **Records.** Records of receipt, the quantity of the drugs, and the disposition  
67.10 of all prescription medications shall be maintained in detail to enable an accurate  
67.11 accounting.

67.12 Subp. 2. **Verifying prescription medications.** An inmate's own supply of  
67.13 prescription medications brought into the facility shall be verified prior to dispensing.

67.14 Subp. 3. **Prescribed medication upon transfer or release.** Prescribed medication  
67.15 shall be given to an inmate or to the appropriate authority upon transfer or release, unless  
67.16 the attending physician decides that in the medical interest of the inmate the medications  
67.17 should not be released with the inmate. The action taken shall be documented.

67.18 Subp. 4. **Destruction of medication.** The destruction of medication on expiration  
67.19 dates or when retention is no longer necessary or suitable must be consistent with  
67.20 requirements of the Minnesota Pollution Control Agency.

67.21 **2911.6900 MEDICAL RESEARCH.**

67.22 The use of inmates for medical, pharmaceutical, or cosmetic experiments is prohibited.

68.1 **2911.7000 TUBERCULOSIS SCREENING; SEPARATION OF INMATES WITH**  
68.2 **INFECTIOUS DISEASE.**

68.3 Subpart 1. **Policy.** A facility shall have a written policy and procedure that addresses  
68.4 the management of serious and infectious diseases. This policy and procedure shall be  
68.5 updated as new information becomes available.

68.6 Subp. 2. **Screening.** Employees and inmates shall be screened for tuberculosis  
68.7 according to Minnesota Statutes, section 144.445. The Department of Corrections adopts  
68.8 by reference Minnesota Department of Health requirements for tuberculosis screening of  
68.9 employees and inmates in facilities governed by this chapter.

68.10 **2911.7100 INMATES WITH SPECIAL NEEDS.**

68.11 Subpart 1. **Postadmission screening.** The facility written policy and procedure shall  
68.12 require postadmission screening and referral for care of inmates with special needs, whose  
68.13 adaptation to the correctional environment is significantly impaired.

68.14 Subp. 2. **Inmates with special needs.** For the purposes of this part, an inmate with  
68.15 special needs shall include, but need not be limited to, those with functional impairments,  
68.16 those defined as mentally ill, those defined as developmentally disabled, those defined as  
68.17 mentally ill and dangerous to the public, and those defined as individuals with disabilities.

68.18 Subp. 3. **Management of inmates.** A policy and procedure shall be developed for  
68.19 the management of inmates with special needs and shall include:

68.20 A. procedures that require referral for emergency admission under Minnesota  
68.21 Statutes, chapter 253B, of persons considered to be mentally ill or developmentally  
68.22 disabled, and in imminent danger of injuring self or others if not immediately restrained;  
68.23 and

69.1 B. procedures for accessing and using emergency services according to  
69.2 Minnesota Statutes, chapter 253B, for adults who are experiencing an emotional crisis or  
69.3 mental illness.

69.4 **2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE.**

69.5 Subpart 1. **General.** A facility shall have a policy and procedure that provides that  
69.6 the facility shall:

69.7 A. be kept in good repair to protect the health, comfort, safety, and well-being  
69.8 of inmates and staff;

69.9 B. document weekly sanitation inspections; and

69.10 C. document deficiencies from the weekly sanitation inspection, if any, have  
69.11 been ordered.

69.12 Subp. 2. **Maintenance plan.** A written housekeeping plan for all areas of the  
69.13 physical plant shall provide for daily housekeeping and regular maintenance by assigning  
69.14 specific duties and responsibilities. Facility floors are kept clean, dry, and free of hazardous  
69.15 substances. A written policy and procedure shall establish the following requirements:

69.16 A. weekly sanitation inspections of all institution areas by a designated staff  
69.17 member; and

69.18 B. there is documentation that deficiencies, if any, have been corrected.

69.19 Subp. 3. **Department rules.** Plumbing, sewage disposal, solid waste disposal, and  
69.20 plant maintenance conditions comply with rules of:

69.21 A. the Minnesota State Building Code;

69.22 B. the Minnesota Fire Marshal's Office;

69.23 C. the Minnesota Department of Health;

69.24 D. the Minnesota Department of Labor and Industry (O.S.H.A.); and

70.1 E. other local government.

70.2 Subp. 4. **Plan.** A facility shall establish a plan for the daily inspection of  
70.3 housekeeping, sanitation, and plant maintenance.

70.4 Subp. 5. **Cost list of needed supplies and repairs.** The facility administrator shall  
70.5 submit to the governing body a list of repairs and supplies needed in order to maintain the  
70.6 facility. This shall be done on a monthly basis or as part of the annual budget.

70.7 **2911.7300 FIRE INSPECTION.**

70.8 Subpart 1. **Annual inspection.** Each facility shall by policy require that a fire  
70.9 inspection of the facility must be conducted in accordance with the applicable fire code on  
70.10 an annual basis by a state fire marshal or local fire official.

70.11 Subp. 2. **Documentation.** Documentation of the inspection and any orders resulting  
70.12 from the inspection must be maintained and available to the DOC.

70.13 [For text of subp 3, see M.R.]

70.14 Subp. 4. **Weekly inspection.** There shall be an applicable fire code and safety  
70.15 inspection of the facility at least weekly by a designated staff member.

70.16 [For text of subp 5, see M.R.]

70.17 **2911.7400 POLICIES AND PROCEDURES TO DETECT DETERIORATION OF**  
70.18 **BUILDING AND EQUIPMENT.**

70.19 The facility administrator or designee shall have policies and procedures designed to  
70.20 detect building and equipment deterioration, safety hazards, and unsanitary conditions.  
70.21 Policies and procedures shall include requirements that facility staff report unsanitary and  
70.22 unsafe conditions as well as physical plant and equipment repairs and replacement needs;  
70.23 and documentation that appropriate work orders or requests for budget resources to effect  
70.24 needed repair, replacement, or corrections have been made.

71.1 **2911.7500 ELIMINATION OF CONDITIONS CONDUCTIVE TO VERMIN AND**  
71.2 **PESTS.**

71.3 The facility shall have a written plan for the control and elimination of vermin and  
71.4 pests.

71.5 **2911.7600 WASTE DISPOSAL.**

71.6 Facility policy shall ensure that the facility provides a waste disposal system.

71.7 **REPEALER.** Minnesota Rules, parts 2911.0200, subparts 8, 18, 21, 33, 34, 37, 43, 47,  
71.8 53, 54, 63, 65, 68, 69, 70, and 72; 2911.0300, subpart 5; 2911.0330, subpart 1; 2911.0340,  
71.9 subpart 2; 2911.0350; 2911.0400, subpart 3; 2911.0900, subparts 13 and 16; 2911.2000;  
71.10 2911.2800, subparts 3 and 5; 2911.3000; 2911.3900, subparts 5 and 9; 2911.4800, subparts  
71.11 2, 3, and 4; 2911.5000, subpart 2; 2911.5600; 2911.6000, subpart 1; 2911.6200, subpart 4;  
71.12 and 2911.6600, subpart 13, are repealed.