

CLIENT TELEPHONE USE

Minnesota Sex Offender Program

Issue Date: 10/2/18 Effective Date: 10/2/18 Policy Number: 420-5210

POLICY: Client telephone use within the Minnesota Sex Offender Program (MSOP) is permitted as outlined in the procedures below.

AUTHORITY: Minn. Stat. §144.651, subd. 21
 Minn. Stat. §253D.19, subd. 1

APPLICABILITY: MSOP, program-wide

PURPOSE: To provide guidelines for client telephone use and service requests.

DEFINITIONS:

Archibus – refer to MSOP Division Policy 410-5400ML, “Physical Plant Maintenance,” and MSOP Division Policy 410-5400SP, “Physical Plant Maintenance.”

Blocked number – any telephone number identified as prohibited for a client.

Emergency repair – (e.g.: a system-wide phone outage) refer to MSOP Division Policy 410-5400ML, “Physical Plant Maintenance,” and MSOP Division Policy 410-5400SP, “Physical Plant Maintenance.”

Essential item – a basic item necessary for daily living (e.g., clothing, medical supplies) not supplied by MSOP.

Gratis call – an approved outgoing staff-facilitated telephone call placed at no expense to the client.

Personal Identification Number (PIN) – the unique and confidential number identifying an individual client for all telephone calls, account payments and account charges.

Privileged call – staff-facilitated, unmonitored and unrecorded telephone calls to verified licensed attorneys, the Common Entry Point (Minnesota Adult Abuse Reporting Center), the Disability Law Center, the Ombudsman for Mental Health and Developmental Disabilities, the Office for Health Facility Complaints, the Minnesota Department of Human Services Licensing Division, the Minnesota Department of Health Licensing Division, the Minnesota Department of Human Rights and other individuals as approved by the facility director or designee in consultation with the facility clinical director or designee. Calls to unlicensed staff who work directly under the supervision of a licensed attorney may be facilitated as privileged calls once written confirmation of that relationship is provided by the licensed attorney.

Routine call – client-initiated telephone calls from client telephones which are recorded and may be monitored. Clients place calls as collect calls or debit calls.

Staff-facilitated telephone call – a privileged or gratis call placed at no expense to the client.

System infrastructure issues – the basic fundamental structure of the client telephone system, including unit-wide and system-wide outages, malfunction of a major system component(s) that prevent basic use of equipment, recurring problems which affect the system’s ability to function normally, etc.

Telephone connectivity issues - problems with the connection, including accidental hang-ups, static, dropped calls, volume issues, cross-talk, etc.

Telephone monitoring – the process of electronically tracking, recording and listening to client telephone calls, conversations and telephone messaging.

PROCEDURES:

- A. Notice of Monitoring - upon admission, MSOP provides all clients being admitted to MSOP with a notice of telephone monitoring procedures (MSOP Monitoring Notice, 420-5210a). MSOP posts a notice of monitoring at all client telephones.
1. Staff document all staff-facilitated telephone calls on the Client Phone Use Log (420-5210c) and forward the form to the Office of Special Investigations (OSI) monthly.
 2. Staff observe or monitor all client gratis calls except business-related gratis calls for clients in Community Preparation Services (CPS) Reentry Stage.
- B. Personal Identification Number (PIN)
1. Clients are responsible for maintaining the confidentiality and security of their PINs.
 2. MSOP does not reimburse clients for any prepaid phone minutes lost as a result of a compromised PIN.
 3. Clients are prohibited from using another client's PIN to place phone calls.
 4. To request a new PIN, clients submit a Client Request Form (420-5099a) and a completed Client Funds Transfer Authorization (125-5300d) to Direct Care and Treatment (DCT) Financial Services. MSOP charges clients \$3.00 to issue a new PIN.
- C. Purchasing Prepaid Phone Minutes - clients may purchase prepaid phone minutes through DCT Financial Services.
- D. Client Incoming Telephone Calls
1. Upon admission, Health Information Management Services (HIMS) staff offer clients the option to include or exclude their name from the directory listing of voicemail boxes by completing a “Request that Name be Included/Excluded from MSOP Treatment Facility Voice Mail Directory” form (420-5210b). HIMS staff forward the original form to OSI and submit a copy to the client's treatment record.
 2. Routine incoming telephone calls to clients are routed to an automated voicemail system. A message informs the caller he or she is contacting a client at a secure treatment facility. The caller receives direction on how to leave a voicemail message for the client. All voicemail messages are recorded and may be monitored.
 3. All incoming calls must allow the telephone system to “read” their caller identification. The telephone system rejects calls from telephone numbers without caller identification, or calls placed with commercial telephone phone cards.
- DI. Client Access to Voicemail Messages - MSOP provides a telephone with direct access to the voicemail system on all residential living units. Clients may access their voicemail messages by entering their confidential voicemail password.

F. Client Outgoing Routine Telephone Calls

1. Prior to connecting a call from a client, the individual receiving the call hears an introductory recorded message stating the call is coming from a client at a secure treatment facility, the call will be recorded, and the call may be monitored.
2. The telephone system limits routine outgoing telephone calls to 15 minutes.
3. Clients may not call other clients at MSOP facilities or at any program on the St. Peter Treatment Center campus, unless approved under section G.2.b), below (treatment-related gratis calls).
4. The telephone system does not permit outgoing toll-free calls.

G. Outgoing Staff-Facilitated Telephone Calls

1. Privileged Telephone Calls

- a) Clients wishing to make a privileged call verbally inform a staff at the unit office of the name of the person or rights protection/advocacy entity the client wishes to call. By requesting to make the call, the client is consenting to staff announcing his/her name to the person receiving the call.
- b) The staff verifies the name on the MSOP Approved Privileged Call List (420-5210e) and attempts to accommodate the call as soon as scheduling allows.
- c) Should an ombudsman contact a residential unit directly to speak with a client, staff follow MSOP Division Policy 110-5012, "Ombudsman Communication" section B.3. Should an attorney or another rights protection/advocacy representative contact MSOP staff to arrange a telephone call with a client or to speak with a client, the staff redirects the person to use the client voice mail system unless it is an emergency.
- d) Privileged calls are limited to 30 minutes.
- e) The facility client rights coordinators maintain the MSOP Approved Privileged Call List (420-5210e) on the MSOP SharePoint site.

2. Gratis Telephone Calls

a) Business-related gratis calls

- (1) A client rights coordinator or CPS operations supervisor may approve business-related gratis calls if communication cannot be adequately conducted via the U.S. Postal Service or client telephone system:
 - (a) to order essential items;
 - (b) to verified financial institutions;
 - (c) to government agencies;
 - (d) to the Internal Revenue Service (IRS) when the client can produce documentation from the IRS requesting a telephone call to provide additional information;

- (e) to a business when the client has documentation from the business requesting communication by phone; or
 - (f) for other issues as determined by the client rights coordinator or CPS operations supervisor to be appropriate for a business-related gratis call.
- (2) Clients identified as a victim of sexual assault while residing at MSOP may request business-related gratis calls to the Program for Aid to Victims of Sexual Assault (St. Louis County) or the Committee Against Domestic Abuse (CADA) (Nicollet County).
 - (3) To request a business-related gratis call, the client must submit a written Client Request Form (420-5099a) to the client rights coordinator/Community Preparation Services (CPS) operations supervisor. The request must include the name of the person or business, the reason for the call, and the telephone number. The client may also include possible dates and times the client is available to make the call. The client rights coordinator/CPS operations supervisor reviews the request and notes in the response if the call is approved or denied.
 - (4) Clients are limited to one business-related gratis call per calendar month. The following clients may receive additional business-related gratis calls as noted:
 - (a) Clients in Phase III who reside in the secure perimeter may receive additional business-related gratis calls with client rights coordinator approval.
 - (b) Clients in CPS Demonstrating Change Across Settings Stage and Reentry Stage may receive one business-related gratis call per week, unless the client's primary therapist/clinical supervisor and the CPS Operations Manager determine additional calls are essential to the client's treatment and/or provisional discharge planning needs.
 - (5) The client rights coordinator/CPS operations supervisor may approve additional follow-up gratis calls relating to a specific issue on a case by case basis via section G.2.(a)(3).
 - (6) Staff facilitate business-related gratis calls during normal business hours, unless prior arrangements are made by the client rights coordinator/CPS operations supervisor.
 - (7) Clients are limited to 15 minutes for business-related gratis calls, unless the client rights coordinator/CPS operations supervisor notes on the approved client request that a longer call is authorized.
 - (8) If the party called is unavailable at the time of the call, the client may leave a voicemail for the party to contact the client's personal voicemail.
- b) Treatment-related gratis calls
- (1) The primary therapist or family therapist may approve treatment-related gratis calls to address treatment-related issues, including but not limited to: completing

therapeutic assignments, communication with community supervision agents or county case managers, and creating and maintaining support systems.

- (2) The client may submit a written Client Request Form (420-5099a) to his/her primary therapist to request a treatment-related gratis call. The request must include the name of the person or business, the reason for the call, and the telephone number.
 - (3) The primary therapist or family therapist reviews recommended and/or requested treatment-related gratis calls with the clinical supervisor. The clinical supervisor may verbally approve treatment-related gratis calls. The primary therapist or family therapist notes in the response to the client request if the client's requested call is approved or denied.
 - (a) The client may request a Vidy conference by submitting a Client Request Form (420-5099a) to their primary therapist.
 - (b) The request must be supported by the primary therapist and clinical supervisor and approved by the facility clinical director and facility director.
 - (4) The primary therapist or family therapist facilitates the gratis call or collaborates with a client rights coordinator to facilitate the gratis call during normal business hours. If the call will occur after normal business hours, the primary therapist or family therapist coordinates with a unit supervisor who assigns a staff to facilitate the gratis call.
 - (5) Any staff facilitating a treatment-related gratis call must remain with the client for the duration of the call.
 - (6) MSOP limits treatment-related gratis calls to 30 minutes unless the primary therapist or family therapist grants prior authorization.
 - (7) Clients are limited to one treatment-related gratis call per calendar month or as determined by the primary therapist or family therapist and clinical supervisor.
 - (8) If the party called is unavailable at the time of the call, the client may leave a voicemail for the party to contact the client's personal voicemail.
 - (9) The primary therapist, family therapist, or client rights coordinator facilitating a treatment-related gratis call completes an Individual Progress Note (215-5007d-4020) (Phoenix) for the client's treatment record. Unit staff who facilitate a treatment-related gratis call complete a Communication Log entry (410-5075a) (Phoenix).
- c) Family emergency-related gratis calls
- (1) The primary therapist, or in the absence of the primary therapist, a client rights coordinator or the officer of the day (OD)/unit director (UD)/CPS operations supervisor may approve gratis calls related to client family emergencies. A client rights coordinator facilitates the gratis call. If the client rights coordinator is not available, the OD/UD/CPS operations supervisor assigns a staff to facilitate the

call. Any staff facilitating family emergency-related gratis calls must remain with the client for the duration of the call.

- (2) The client may request additional calls related to the identified family emergency by submitting a Client Request Form (420-5099a) to his or her primary therapist or a client rights coordinator. The primary therapist or client rights coordinator reviews the request and notes in the response if the call is approved or denied.

H. Additional Telephone Restrictions

1. A primary therapist may place additional restrictions on an individual client as part of an Individualized Program Plan to maintain safety, security, and a positive therapeutic environment. (See MSOP Division Policy 215-5015, "Individualized Program Plan.")
2. MSOP may permanently or temporarily block calls to or from a specific phone number when approved by the facility director or designee. Approved reasons for blocking a number include but are not limited to:
 - a) court order;
 - b) request of the recipient or client;
 - c) violations of the telephone policy related to that number;
 - d) evidence of criminal activity;
 - e) violations of other MSOP policy related to that number; and/or
 - f) MSOP staff who have separated from employment.
3. Upon receipt of a court order or request of the recipient or client, the facility director/designee:
 - a) reviews the information and may authorize the OSI to block the phone number(s) specific to these reasons; and
 - b) notifies the client of the telephone number(s) being blocked, the reason for the block, and the effective dates of the block (see the Notification of Client Telephone Block, 420-5210d).
4. Upon determination by OSI a client's behavior relating to the use of the telephone violated MSOP policy or is evidence of criminal activity:
 - a) OSI staff submit a Level 1 Incident Report (Phoenix) detailing the actions of the client and the violation noted; and
 - b) the facility director/designee forwards the incident report to the unit director of the unit on which the client resides for appropriate follow up.

I. Unauthorized Telephone Use

1. Clients may not participate in any calls other than single-party to single-party calls. Prohibited calls include but are not limited to: call forwarding, Voice Over Internet Protocol (VOIP) phone providers, conference calling, texting, and faxing. Clients may utilize call forwarding within the

same business while participating in a monitored business-related telephone call as indicated in section G.2.(a).

2. Clients may not take any action to circumvent or disable elements of the telephone system.
3. Clients may not use another client's assigned PIN to place phone calls. Using another client's PIN is considered an unauthorized use for one or both clients (see MSOP Division Policy 420-5010, "Client Behavioral Expectations").
3. Clients may not make routine calls to MSOP staff and/or request gratis calls be made to any MSOP staff. Clients communicate with staff in person or via Client Request Forms (420-5099a).

J. Teletype/Telecommunications Device for the Deaf (TTY/TDD) Calls

1. Clients requesting to utilize the TTY machine to make telephone calls must have a current Determination of Client Request and Reasonable Modification Plan (215-5250b-3101); (see MSOP Division Policy 215-5250, "Clients with Disabilities"), approving the need for this service. The Determination of Client Request and Reasonable Modification Plan describes the process for the client requesting the call.
2. Any MSOP staff may facilitate TTY telephone calls by following instructions included with the TTY machine.
3. MSOP staff facilitating a TTY telephone call forward the printed transcript of non-privileged calls to OSI at the completion of the call.

K. Client Telephone Service Requests

1. Telephone Connectivity Issues

- a) To report any telephone connectivity issues, the client must submit a Client Request (420-5099a) to OSI. The request must include:
 - (1) location of telephone;
 - (2) date call was placed;
 - (3) time call was placed;
 - (4) number called; and,
 - (5) the description of the problem.
- b) OSI staff review the request and if necessary contact the system vendor to resolve the issue.

2. System Infrastructure Issues

- a) Upon identifying a system infrastructure issue during Physical Plant Operations hours (7:00 am to 3:30 pm):
 - (1) MSOP staff submit a service request via Archibus. The service request must include:
 - (a) location of telephone system outage or malfunction;
 - (b) assigned telephone number(s) affected; and
 - (c) description of the problem.
 - (2) Upon receiving the request, the physical plant operations supervisor or building maintenance supervisor reviews the request and assigns to electronic systems specialist (ESS) staff.

- (3) ESS staff complete the service request, contacting the system vendor if necessary to resolve the issue.
- b) Upon identifying a system infrastructure issue outside of Physical Plant hours:
- (1) MSOP staff submit a service request via Archibus. The service request must include:
 - (a) location of telephone system outage or malfunction;
 - (b) assigned telephone number(s) affected; and
 - (c) description of the problem.
 - (2) MSOP staff contact the OD for emergency repairs.
 - (a) The OD may consult with the OSI on-call staff to verify whether the issue is considered a telephone connectivity issue or a system infrastructure issue.
 - (b) If a system infrastructure issue is confirmed, the OD contacts the system vendor to attempt to resolve the issue.
 - (c) If emergency repair work is needed, the OD follows MSOP Division Policy 410-5400ML, "Physical Plant Maintenance" or MSOP Division Policy 410-5400SP, "Physical Plant Maintenance."
3. Financial Issues - for any banking or account discrepancies, the client submits a Client Request (420-5099a) to DCT Financial Services. The request must include:
- a) date the call was placed;
 - b) time the call was placed; and
 - c) number called.

REVIEW: Annually

REFERENCES: MSOP Division Policy 215-5021, "Client Grievances"
MSOP Division Policy 215-5250, "Clients with Disabilities"
MSOP Division Policy 215-5015, "Individualized Program Plan"
MSOP Division Policy 410-5400ML, "Physical Plant Maintenance"
MSOP Division Policy 410-5400SP, "Physical Plant Maintenance"
MSOP Division Policy 410-5200, "On Call"
MSOP Division Policy 110-5012, "Ombudsman Communication"
MSOP Division Policy 420-5010, "Client Behavioral Expectations"

ATTACHMENTS: MSOP Monitoring Notice (420-5210a)
Request that Name be Included/Excluded from MSOP Treatment Facility Voice Mail Directory (420-5210b)
Client Phone Use Log (420-5210c)
Notification of Client Telephone Block (420-5210d)
MSOP Approved Privileged Call List example (420-5210e)
Client Request form (420-5099a)
Determination of Client Request and Reasonable Modification Plan (215-5250b-3101)
Client Funds Transfer Authorization (125-5300d)
Archibus Web Central Request (410-5400aML)

Individual Progress Note (215-5007d-4020) (Phoenix)
Communication Log (410-5075a) (Phoenix)

SUPERSESSSION: MSOP Division Policy 420-5210, “Client Telephone Use,” 8/7/18.
All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

/s/
Nancy A. Johnston, Executive Director
Minnesota Sex Offender Program