

# **UNITED STATES BORDER PATROL**

## **IMPLEMENTATION PLAN**

### **ENHANCED MEDICAL SUPPORT EFFORTS**

#### **CONCEPT OF OPERATIONS**

##### **A. USBP OPERATIONAL PERSPECTIVE**

1. USBP is a law enforcement organization responsible for homeland security, which includes the deterrence, detection, apprehension, processing and short-term holding of persons interdicted between the ports of entry of the United States.
2. USBP is committed to enhancing medical support along the SWB for the appropriate care and custody of those in USBP facilities.
3. USBP's goal is to expedite transfer of persons in custody to ICE or HHS as appropriate, or to otherwise transfer or release persons from USBP custody, as expeditiously as possible. See 8 U.S.C. § 1232(b)(3).
  - i. This goal informs CBP's approach to medical support.
  - ii. From a medical perspective, the optimal approach is to expedite transfer of persons from CBP custody (with limited medical support capabilities) to HHS or ICE custody (with robust, detention-level medical support capabilities) or into a broader community with additional medical support capabilities.
4. USBP facilities are not designed with medical capabilities to conduct longer-term detention. USBP's partner organizations, including U.S. Immigration and Customs Enforcement (ICE) and the Department of Health and Human Services (HHS) are intended to conduct longer-term detention, with more robust, detention-level medical support capabilities.

##### **B. POLICY, AUTHORITIES, AND STANDARDS**

1. USBP shall adhere to relevant and current or superseding policies, authorities, and standards regarding medical support for persons in custody including:
  - i. TEDS Standards;
  - ii. CBP Enhanced Medical Support Directive;
  - iii. Other relevant Department of Homeland Security (DHS)/CBP medical directives and policies; and
  - iv. Applicable legal authorities, including statutory requirements (e.g. Homeland Security Act, Immigration and Nationality Act, and Trafficking Victims Protection Reauthorization Act), and all applicable court orders and consent decrees.

#### C. COMMAND AND CONTROL

1. The Chief of the USBP shall have responsibility for overall direction, management, and oversight of USBP medical support efforts in accordance with any policy guidance from the CBP Office of the Commissioner.
2. USBP Special Operations Headquarters (SOH) shall have responsibility for coordination of USBP medical support efforts.
3. USBP Sector Chief Patrol Agents shall have responsibility for direction of USBP medical support efforts within their respective sectors.
4. CBP Chief Medical Officer (CMO) shall provide medical direction and oversight for USBP medical support efforts.
5. The CBP CMO shall be responsible for coordinating with the DHS CMO to ensure alignment with departmental requirements and policies, in accordance with the DHS CMO's role to provide operational medical support under Public Law 115-387 of December 21, 2018, the "Countering Weapons of Mass Destruction Act of 2018", which amends the Homeland Security Act of 2002 ((6 U.S.C. 591 et seq.), as delineated in Section 1931."

#### D. MEDICAL SUPPORT GOALS

1. USBP enhanced medical support shall:
  - i. Align with the USBP operational law enforcement mission;
  - ii. Function as a front-line element of a broader network of medical care – including local health systems, ICE, and HHS;
  - iii. Limit harm by providing appropriate access to medical care for persons in custody;
  - iv. Promote CBP workforce health.

#### E. MEDICAL SUPPORT APPROACH

1. USBP recognizes its critical role in medical support, consistent with its law enforcement mission, as a front-line element of a broader network of medical support.
2. USBP shall rely heavily on referral to local health systems (and local standards of care). Additionally, USBP will rely on transfer to partners at ICE and HHS that have been designed and funded with more robust medical capabilities.
  - i. USBP shall utilize a layered approach to medical support, with no single point of failure.
  - ii. Agents recognize and respond to signs/symptoms of injury, illness, or infection.

- iii. USBP shall promptly activate the 911 system or refer persons in custody to the local health system whenever appropriate for evaluation and treatment.
- iv. USBP shall ensure the conduct of health intake interviews and medical assessments as directed by the Enhanced Medical Directive (CBP Directive 2210-004). (SOP II)
- v. USBP shall have contracted medical support personnel at medical priority facilities along the SWB. (SOP I)
- vi. Contracted medical support capabilities shall include:
  - initial medical assessment;
  - diagnosis;
  - treatment of basic medical conditions;
  - medical referral for complex or urgent conditions;
  - follow-up care while in CBP custody;
  - public health/infectious disease management (PH/ID); and
  - medical summaries prior to travel, transfer, or release, as appropriate.
- vii. USBP shall have a low threshold for timely referral of persons in custody with complex or urgent medical issues to the local health system.
- viii. USBP shall coordinate and collaborate with a broad network of medical support stakeholders.
- ix. The CBP CMO shall provide medical direction and oversight of USBP medical support efforts on an ongoing basis.
- x. USBP, in coordination with the CBP CMO, shall support a robust and responsive CBP Medical Quality Management (MQM) program for the enhanced medical support efforts in this plan. (SOP VII)
- xi. USBP shall coordinate with and request assistance from other relevant stakeholders, such as DHS, ICE, HHS, the Centers for Disease Control and Prevention (CDC), and state/local health officials, as appropriate, for additional medical support.
- xii. In particular, USBP shall coordinate closely with ICE and HHS regarding transfer of persons in custody with medical issues identified, to include infectious diseases, mental health issues, and acute or chronic medical conditions.

F. ANNEXES: ENHANCED MEDICAL SUPPORT STANDARD OPERATING PROCEDURES (SOPs)

*SOP I:* Enhanced Medical Support: USBP shall determine medical priority locations and establish contracted medical support

*SOP II:* Enhanced Medical Support Process: USBP shall design and execute enhanced medical support processes

*SOP III:* Medical Support for Juveniles: USBP shall emphasize appropriate medical support for juveniles in custody.

*SOP IV:* Identification and Notification of Medical Issues: USBP shall develop and implement procedures for identification and notification of medical issues.

*SOP V:* Enhanced Medical Monitoring: USBP shall develop and implement procedures for enhanced medical monitoring.

*SOP VI:* Medication Review: USBP shall develop and implement procedures for medication review.

*SOP VII:* Medical Quality Management (MQM): USBP shall support CBP MQM program efforts.

*SOP VIII:* Public Health (PH)/Infectious Disease (ID) Management: USBP shall ensure appropriate consideration of PH/ID issues in its medical support efforts.

*SOP IX:* USBP shall ensure appropriate medical documentation, data management, reporting, communication, coordination, and continuity of care.

*SOP X:* Surge and Crisis Level Medical Support: USBP shall develop and implement processes for surge and crisis level medical support

*SOP XI:* Medical Monitoring, Compliance, and Review: USBP shall ensure appropriate monitoring, compliance, and review of USBP medical support efforts.