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SAFETY SHORTS

General Safety • Highway Departments • Law Enforcement & Corrections

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LAW ENFORCEMENT & CORRECTIONS

By: Todd Duncan, Law Enforcement & Safety Specialist

Managing Inmate Medications: Small Errors Can Have Serious Consequences

Medication administration is one of the highest-risk responsibilities in a jail. Delayed, missed, or incorrect medications can quickly become medical emergencies and lead to significant liability.

The National Commission on Correctional Health Care is a nonprofit organization that develops widely respected standards aimed at guiding health service delivery in correctional facilities. The NCCHC standard relevant to this topic broadly provides: "Medication services are clinically appropriate and provided in a timely, safe, and sufficient manner."

Jail policies and procedures should provide that all medications brought into the jail must be approved by the facility administrator or a qualified medical authority before use.

Furthermore, Nebraska Jail Standards[1] specifically require that:

- Prescription medications must be administered strictly according to the prescribing provider's orders.
- Records of medication administration by jail staff are maintained and audited monthly (including date, time, name of inmate receiving, and name of staff distributing it).
- Staff must observe inmates taking prescribed medications to reduce diversion and misuse.
- Non-prescription medications must also be dispensed with great care.
- Medications must be securely stored, properly labeled, and administered under established written procedures.

It is highly recommended that only authorized and trained personnel administer inmate medications. Medication Aide Certification for such personnel is strongly recommended.

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[1] Title 77, Chapt. 9, Sections 002.07A through 0002.07E

Medication errors can lead to serious injury, death, withdrawal, worsening mental illness, seizures, diabetic emergencies, or cardiac events. They also increase the risk of medication diversion, overdose, and constitutional claims alleging deliberate indifference to an inmate's serious medical needs.

Reduce medication-related risk by:

- Verifying medications promptly upon intake with the pharmacy or prescribing provider.
- Continuing clinically necessary medications without unnecessary delay.
- Following physician orders exactly; never change or discontinue medications without medical authorization.
- Watching every inmate swallow prescribed medications and visually checking their mouth afterwards.
- Storing medications securely and documenting every dose, refusal, omission, and delay.
- Training staff and promptly consulting medical personnel whenever questions or concerns arise.
- Ensuring that medications are properly transferred to the inmate upon their release.

Remember the Five Rights of Inmate Medication Administration:

- ✓ **Right Inmate** – Verify the inmate's identity before administering medication.
- ✓ **Right Medication** – Confirm the correct medication is being given.
- ✓ **Right Dose** – Administer the exact prescribed dosage.
- ✓ **Right Time** – Give the medication at the prescribed time or within approved time parameters.
- ✓ **Right Route** – Ensure the medication is administered by the correct route (oral, topical, injection, inhalation, etc.).

Bottom Line

A safe medication program depends on **verification, continuity of care, the Five Rights, direct observation, secure storage, accurate documentation, and well-trained staff.** These practices protect inmate health while significantly reducing jail liability.

NIRMA Member Officials, Supervisors, and Managers:

Have a human resource question or issue? Contact NIRMA's Human Resources Helpline at (866) 896-6423.

Have a non-HR legal question or issue? Contact NIRMA's Legal Link at (402) 742-9240 or by email at legallink@nirma.info

GENERAL SAFETY

By: Chad Engle, Loss Prevention Manager and Safety Specialist

Don't Wait for a Claim: Why Early Incident Investigations Matter

Many incidents occur that never result in a liability claim. However, when an injury or property damage occurs on county-owned property or during county operations, it is important to recognize that a claim could arise weeks, months, or even years later. The actions taken immediately after an incident can significantly impact a member's ability to accurately understand what happened and NIRMA's ability to defend the member if a claim is ultimately presented.

A fundamental principle in risk management is that **evidence is perishable**. Memories fade, witnesses become more difficult to locate, weather conditions change, repairs are made, and physical evidence can disappear. Information that may seem readily available today may be impossible to obtain later when it is needed most.

Document First, Decide Later

When an incident occurs, members may hesitate to investigate because they believe a claim is unlikely or because the injured person has not indicated any intention of seeking compensation. Unfortunately, waiting until a claim is filed can place the organization at a significant disadvantage.

Timely documentation helps preserve critical facts, including:

- The name and contact information of the injured person
- Names and contact information of witnesses
- Surveillance video and photographs of the location and surrounding conditions
- Weather and environmental conditions at the time of the incident
- Measurements, diagrams, and descriptions of the scene
- Incident reports, notes, emails, and other relevant documentation
- Information regarding any conditions or circumstances that may have contributed to the incident

Gathering this information promptly helps ensure the facts are captured accurately while they are still fresh and readily available.

Identifying Corrective Actions

Investigations may also reveal hazards, maintenance concerns, or operational issues that can be addressed before another incident occurs, reducing the likelihood of future injuries and claims.

Make Incident Documentation a Standard Practice

It is no accident that **Best Safety Practice #3** in **NIRMA's Best Safety Practice for Members** is to ***Investigate and document all incidents and events that may lead to a loss or injury.***

This does not mean the organization is admitting fault or anticipating litigation. Rather, it reflects a commitment to preserving facts, protecting public resources, and practicing sound risk management. Delayed responses to incidents can inflate claim costs and increase litigation and liability risks, and this is undesirable to both the member involved and our pool as a whole.

NIRMA members can find resources to assist with incident investigations by visiting the NIRMA website and navigating to **Resources > Inspection Forms and Checklists**, where the **Incident Investigation Checklist** is available. The checklist outlines the information that should be gathered whenever an incident occurs that could potentially lead to a liability claim. This page also contains links to other forms/reports that can be used to collect information about incidents that may lead to claims.

Taking the time to document an incident today may make all the difference if questions arise in the future. The best time to gather information is immediately after an incident-while facts are fresh, conditions are unchanged and evidence is still available.

If you are unsure of what to do, please do not hesitate to reach out to NIRMA and speak with a safety specialist or claims adjuster, we are always here to help.

ROAD/HIGHWAY DEPARTMENTS

By: KC Pawling, Road Safety and Loss Prevention Specialist

Luck Is Not a Safety Program: The Importance of Near-Miss Reporting

From a loss prevention perspective, one of the most significant training gaps in many organizations is not the routine tasks employees perform every day. Most employees receive some training on their regular job duties, equipment operation, and standard safety procedures. The area that is frequently overlooked involves low-frequency, high-consequence events. These are situations that rarely occur but have the potential to result in serious injuries, property damage, liability claims, or operational disruptions.

For these events, near-miss reporting stands out as one of the most valuable yet underutilized risk management tools.

A near-miss is an unplanned event that could have resulted in injury, damage, or loss but did not, often due to chance or timely intervention. Examples include a ladder slipping without causing a fall, a vehicle backing into a post rather than a pedestrian, or a worker narrowly avoiding contact with an energized power line. All of these events occur in county operations occasionally. While no injury or damage may occur, the underlying hazard remains present and could easily lead to a more serious incident in the future.

Many organizations place considerable emphasis on reporting injuries, accidents, and workers' compensation claims. However, employees are often not trained to recognize near-misses as reportable events. As a result, valuable opportunities to identify hazards and correct unsafe conditions are missed. Employees may assume that if no one was hurt, there is no need to report what happened. This mindset can allow dangerous conditions and unsafe practices to continue unnoticed until a serious incident occurs.

Near-miss reporting is one of the strongest indicators of a proactive safety culture. Organizations that encourage employees to report close calls demonstrate a commitment to prevention rather than simply reacting to losses after they occur. Every near-miss provides important information about weaknesses in procedures, training, equipment, supervision, or work environments. By investigating these events, counties can identify root causes and implement corrective actions before injuries or property losses occur.

Creating an effective near-miss reporting program requires more than simply providing a form. Employees must understand what constitutes a near-miss, why reporting is important, and how the information will be used. Training should emphasize that near-miss reporting is not about assigning blame or disciplining employees. Instead, it is a tool for identifying hazards, improving processes, and protecting coworkers. Employees should feel comfortable reporting events without fear of criticism or retaliation.

Supervisors also play a critical role. They should actively encourage reporting, promptly review submitted reports, and communicate corrective actions taken as a result. When employees see that management responds to their concerns and implements improvements, reporting participation typically increases. In contrast, if reports disappear without follow-up, employees quickly lose confidence in the process and it also affects employee morale.

A strong near-miss reporting culture can significantly reduce the likelihood of serious losses. By identifying hazards before they result in injuries, equipment damage, vehicle accidents, or liability claims, counties can improve employee safety, reduce costs, and minimize operational disruptions. More importantly, near-miss reporting can shift the focus from reacting to incidents to preventing them—a fundamental principle of effective loss prevention.

In the end, every near-miss represents a free lesson. Counties that recognize and learn from those lessons are far more likely to prevent the next incident from becoming a tragedy.

If you need a training scheduled, or just simply want help developing or improving your safety and training program, you can contact me via email at kcpawling@nirma.info or phone at 402-310-4417.