



# Despite Legal Win, Kansas Inmates May Have to Wait for Hep C Treatment

In a recent settlement, the state agreed to expand coverage of HCV treatment—but only to those with advanced liver scarring.

June 18, 2019 By [Casey Halter](#)

---

This year, a legal settlement in Kansas was supposed to open up access to hepatitis C virus (HCV) treatment for hundreds of people—but prison advocates say many state inmates will still have to wait to receive lifesaving medications. [A recent report](#) by The Associated Press explains why.

The story begins earlier this spring, when Kansas settled a lawsuit filed by the ACLU of Kansas on behalf of enrollees in the state's Medicaid program. The case challenged a statewide policy to limit treatment of HCV to only the sickest patients. While the settlement did not explicitly cover prisons, civil rights advocates argue that the delay in treatment to prisoners could constitute cruel and unusual punishment under the Eighth Amendment, which guarantees inmates the same medical care as people who aren't incarcerated.

Kansas News Service reports that state prison officials estimate that more than 700 inmates are infected with hepatitis C. About half will receive treatment this year, beginning with those with the most serious liver damage. However, hundreds of inmates with less severe liver damage will have to wait at least another year to access the medications.

Kansas prison officials, who note that the state's prison treatment strategy is voluntary, argue that the policy aligns with what many other states have been asked to do after losing lawsuits. The department also noted that hepatitis C treatment costs between \$15,000 and \$17,000 per patient, meaning that the state will spend nearly \$6 million in fiscal year 2020 to treat just half of its inmates with the virus.

Under the plan, inmates with less advanced hepatitis C will have to wait until fiscal year 2021 for treatment. Kansas's corrections department sought out more funding to treat them this year, but the governor's office failed to request the full amount from the state legislature.

For its part, the Kansas ACLU isn't ruling out returning to court to demand speedier hepatitis C treatment for prisoners.

---

© 2026 Smart + Strong All Rights Reserved.

<http://beta.docker.hepmag.com/article/despite-legal-win-kansas-inmates-may-wait-hep-c-treatment>