Inmates Sue for Hep C Treatment

The suit alleges “cruel and unusual punishment” by state prison officials.

December 2, 2019 By Casey Halter

A federal lawsuit filed in Texas alleges that the state’s prison system is “callously” denying thousands of inmates access to hepatitis C virus (HCV) treatment, the Houston Chronicle reports. Similar lawsuits have been filed in at least a dozen states over the past few years.

As with other prison HCV cases, the lawsuit claims Texas’s failure to provide next-generation treatment to its inmates constitutes “cruel and unusual punishment” at the hands of state prison officials and violates both the Eighth Amendment and the Americans with Disabilities Act. The lawsuit also argues that the state has a duty to provide access to adequate medical care to all prisoners regardless of cost.

It is estimated that at least 18,000 inmates in Texas’s 104 jails and prisons have been diagnosed with hep C—accounting for up to 30% of the state’s entire prison population. Meanwhile, Texas prison officials say the cost of providing treatment for the virus would be $63,000 per patient.

The class action lawsuit was filed on behalf of Matthew Roppolo, a 53-year-old Houston man incarcerated at the McConnell Unit who said he is aware of at least one instance years ago in which a fellow prisoner’s request for HCV treatment was denied. Weeks after his release, the suit claims, that man died of liver cancer.

Inmates who don’t receive treatment could be asymptomatic for decades. But studies on liver disease progression suggest that 25% to 40% will go on to develop cirrhosis, or liver scarring, which significantly increases the risk for liver cancer. People with untreated HCV are also at an increased risk for diabetes, leukemia, lymphoma, skin conditions and kidney disease. Curing HCV significantly mitigates those risks.

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