Judge Rejects a Hepatitis C Settlement for Connecticut Inmates

His reason: The settlement granting inmates hepatitis C treatment also prevents them from suing the state for any reason.

June 3, 2021 By Trent Straube

A federal judge rejected a settlement reached in January in which the Connecticut Department of Corrections agreed to test all inmates entering the system for hepatitis C and treat them if they have the potentially fatal liver disease. While the agreement seems like a win for the inmates, U.S. District Court Judge Michael P. Shea pointed out a section of the agreement that basically prevents inmates from suing the state for anything that happened before April 1, 2020.

The legislators who approved the January settlement seemingly failed to grasp the broad implications of a section of the deal that would prevent prisoners from suing the state for issues unrelated to hepatitis, reports the Connecticut Mirror.

"I don't believe it would be a fair, adequate and reasonable settlement for all of the inmates at the [Department of Corrections] to release all of their claims from the beginning of the world to April 1 2020," Shea said in a court hearing in May, according to the Mirror. "I don't think anybody…if they understood that, would agree to it. In any event, I wouldn't approve it."

Despite this hiccup, the process of testing and treating inmates had already begun since the lawsuit was originally filed in July 2018. An initial settlement was reached in November 2021, requiring all inmates to be tested and treated until March 2022.

Since the initial lawsuit, nearly 500 inmates have been cured of hepatitis C, reports Connecticut News Junkie. What's more, 1,398 inmates tested positive for hepatitis C between August 2019 and December 30, 2020. Those not already receiving meds will have the severity of their liver disease evaluated and will be treated accordingly.

Connecticut lawmakers gave the green light to budgeting $20 million for the treatment of hepatitis C for fiscal year 2021. That's in addition to $10 million carried over from 2020 that must be spent on hep C, according to Connecticut News Junkie.

To read about the original July 2018 lawsuit, see "Connecticut Inmate Files Federal Lawsuit Over Hepatitis C Treatment."

Connecticut isn't the only state dealing with lawsuits regarding testing and treatment for hepatitis C in prisons. North Carolina, Michigan, Tennessee and Nevada have made headlines for offering (or failing to offer) hepatitis C testing and treatment to inmates.

Hepatitis C virus causes inflammation of the liver. Without treatment, it can become life-threatening. But available cures eliminate the virus in more than 90% of people who are treated. What's more, modern treatment is much safer and simpler than ever, often entailing only taking daily tablets for a number of weeks. For more details, check out Hep's Basics on Hepatitis C as well as the Introduction to Hepatitis, which includes details about hep A and B plus other liver diseases, such as non-alcoholic fatty liver disease (NAFLD) and non-alcoholic steatohepatitis (NASH).

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