New Mexico Prisons Face Backlash Over Hepatitis C Treatment

Advocates say out of some 3,000 inmates recently diagnosed with the virus, just 46 have received any sort of treatment.

February 22, 2019 By Casey Halter

Yet another state prison system is facing backlash for its hepatitis C virus (HCV) treatment policy. This time, it's that of New Mexico, where advocates say hardly any inmates have received treatment since the direct-acting antivirals that can cure the virus were first approved in 2013, The Santa Fe New Mexican reports.

According to prison watchdogs, more than 4 in 10 inmates in New Mexico are currently living with the virus, the highest proportion of any other prison system in the country. Out of 3,000 prisoners diagnosed with HCV in 2018, just 46 have received any sort of treatment.

Meanwhile, state prison officials have already acknowledged that they are obligated to treat patients with hepatitis C and could even face lawsuits if they deny treatment. So, what's going on?

For one thing, hepatitis C virus treatments are expensive. When next-generation cures first became available, they cost nearly $84,000 per patient for a full course of treatment. Prices have since decreased to about $20,000, but correctional facilities across the country are still often doing everything they can to limit access to the expensive drugs.

For example, in New Mexico, prison officials restrict treatment to inmates free of major disciplinary infractions for at least 12 months. Even multiple minor infractions, such as "abusive language or gestures" can disqualify a patient for treatment. That's in addition to the more common treatment barrier that requires inmates to have already suffered a severe degree of liver damage before they can access a cure.

But civil rights lawyers—arguing that the right to hepatitis C treatment is protected under the Eighth Amendment to the Constitution, which prohibits cruel and unusual punishment—have been winning cases that push for reform. Cases have already been won in Pennsylvania, Colorado, Massachusetts and Tennessee, and prisoners in 16 other states have brought class-action lawsuits asserting a right to access the new treatments.

Moving forward, advocates say they will fight to reform the way New Mexico treats hepatitis C,

addiction and substance use issues in prisons. They're already talking to state legislators about allowing inmates to access cures with far fewer limits as well as helping those with opioid additions receive medication-assisted therapies to help reduce their drug use and slow the spread of HCV in prisons.

To learn more about hepatitis C, prisons, and harm reduction, click here.

© 2026 Smart + Strong All Rights Reserved.

http://beta.docker.hepmag.com/article/new-mexico-prisons-face-backlash-hepatitis-c-treatment