South Carolina Lawsuit May Open Up Treatment for Inmates With Hep C

The state's Department of Corrections currently does not automatically test incoming inmates for the virus and rarely treats them.

March 23, 2018 By Casey Halter

A class action lawsuit in South Carolina aims to open up access to hepatitis C virus (HCV) treatment for thousands of prison inmates. Currently, the South Carolina Department of Corrections (SCDC) does not automatically test incoming inmates for the virus, and rarely treats them, the Charleston City Paper reports.

Filed last summer on behalf of Perry Correctional Institution inmate Russel Geissler, the case seeks to establish opt-out, rather than opt-in, hepatitis C testing for all incoming inmates and to provide treatment in line with the current U.S. standard of care. That means, with very few exceptions, to treat everyone living with the virus regardless of the severity of their illness.

An estimated 5,000 South Carolina inmates are living with hepatitis C in the state's prisons. Under the SCDC's current treatment guidelines, only 16 have been considered eligible for treatment for the fiscal year 2018–2019. Advocates argue that withholding treatment from the vast majority of inmates could constitute cruel and unusual punishment. What's more, the system's unwillingness to address the hep C epidemic in at-risk populations is likely to perpetuate new infections.

Although state prison spokespeople have not commented on the pending litigation, they did point out to local reporters that the department's entire health budget is only $74 million, which would not be sufficient to treat every inmate living with HCV.

South Carolina prisoners are hopeful that precedents set in other states, such as Missouri and Massachusetts (which opened up access to treatment after similar lawsuits) will sway the system into ruling in their favor. Until then, they must wait.

© 2026 Smart + Strong All Rights Reserved.

http://beta.docker.hepmag.com/article/south-carolina-lawsuit-may-open-treatment-inmates-hep-c