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## Suits Over Inmate Care Adding Up

By **JILL KING GREENWOOD** and **MICHAEL FECHTER** The Tampa Tribune  
Published: Mar 16, 2004

**TAMPA** - The company in the spotlight after the death of a baby born in jail March 5 has faced controversy before when inmates died in its care.

Prison Health Services, the Brentwood, Tenn., company awarded a \$12 million contract in 2002 to provide medical care for Hillsborough County inmates, has been sued repeatedly since 1994.

But some analysts who track the industry call Prison Health Services an excellent provider. The negative publicity, they say, results from a lawsuit-prone prison population and the difficult task of controlling costs for cash-strapped governments.

Critics from New York City to Fort Pierce have accused the company of skimping on staffing, medications and inmate trips to hospitals to cut costs and maximize profits.

Among the most recent is a case in Charleston, S.C., in which the estate of an inmate claims he died in July 2002 after he received negligent care during a diabetic episode. No one called for help when Leon Jones passed out, the lawsuit said. Instead, a Prison Health Services employee tried to pour milk into his mouth, and when the milk didn't stay down, Jones suffered a heart attack, the lawsuit said.

An inmate in a Philadelphia prison died of diabetic shock in September 2000. Jose Santiago-Perez did not receive needed insulin even though he had been examined by a jail doctor and spent hours writhing on the floor and vomiting, according to reports in the Philadelphia Inquirer. The district attorney called Santiago-Perez's death "a systemic failure" but didn't press charges.

A lawsuit brought by his family was settled for an undisclosed sum in July 2002. The city ended its contract with Prison Health Services that summer.

### Florida Lawsuits Settled

Closer to home, the company has settled two lawsuits in Florida.

In Pinellas County, officials terminated their relationship with Prison Health Services in 1995 after several inmates died and a court monitor said the company had "consistently failed to provide adequate staffing."

Records show that inmate Diane C. Nelson, 46, jailed on allegations that she slapped her teenage daughter, died after being denied medication despite repeated requests.

In Polk County, Prison Health Services settled a \$3 million lawsuit filed by the family of Michael Cullaton, 31, who died in 1994 after he was beaten by corrections officers. The lawsuit alleged he was denied proper treatment.

In 2002, a nurse employed by Prison Health Services in Fort Pierce sued the company, claiming she was fired for refusing to falsify medical documents.

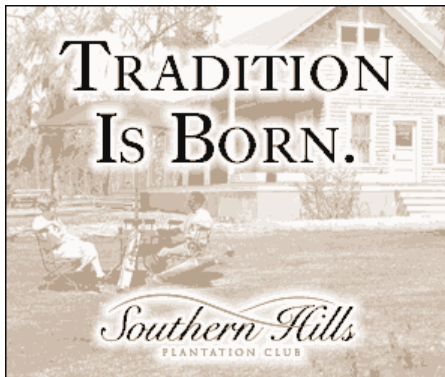
Nurse Deborah Lapham said she was told to falsify records to indicate that inmates had received medications they hadn't taken. She said she refused and was fired as a result.

A confidential settlement ended the lawsuit in June, federal court records show.

In New York City in 2002, state commissioners criticized the care Prison Health Services was giving to juvenile inmates and prisoners with psychiatric conditions.

The New York Commission of Correction criticized the company for its hiring, training and health care.

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Lawrence Pomeroy, senior vice president for Prison Health Services, said any company that provides health care for inmates is at high risk for lawsuits. Its parent company provides health care to more than 270,000 inmates at more than 230 correctional facilities.

Pomeroy declined to comment about individual cases.

Arthur Henderson, an analyst for an investment bank in Nashville, Tenn., said America Service Group Inc., the parent company of Prison Health Services, provides a valuable service for cities, counties and states by managing inmates' health care more efficiently.

"They have a very good reputation on the provider's side," said Henderson, an analyst with Jeffries & Co. Inc. "There is always the risk that there could be some unfortunate situation like this."

Michael Lamb of Wealth Monitors Inc., a private research company in Overland Park, Kan., agreed. "What they do is as good or better than anybody in their industry," Lamb said.

Pomeroy said Prison Health Services is investigating the death of a baby born March 5 at the Falkenburg Road Jail in Hillsborough County.

Inmate Kimberly Grey, 34, complained for 12 hours that she was having strong lower back pains and suspected she was in labor.

Records show nurses gave Tylenol to Grey shortly after she began complaining of pain the afternoon of March 4, but they didn't give her a pelvic exam until 2:45 a.m. March 5.

While Grey squatted over a jail toilet for the exam, a nurse noticed the baby's head emerging and caught the infant before it fell into the toilet. The nurse then called 911, but the baby died before reaching the hospital.

#### **Jailhouse HMO**

Many prison health care contracts offer "the worst elements of an HMO," said Orlando lawyer E. Clay Parker. He has sued Prison Health Services, county sheriff's offices and other health care providers for negligence. Understaffing is a common problem, he said, and contract language offers no incentive for seeking care from specialists and hospitals.

Many inmates are pretrial detainees or others who may not stay in jail for long, Parker said. The contractor may hope to bide time until the inmate is released.

Hillsborough's contract requires Prison Health Services to pay for all transportation, hospitalization and other acute care, including treatment for pregnant inmates. It does not have to pay for an infant's care.

Meanwhile, the state attorney general is investigating the possibility of Medicaid fraud by America Service Group. The probe involves billing dating back to 1998 by Prison Health Services and EMSA Correctional Services, which America Service Group bought.

Jo Ann Carrin, a spokeswoman for Attorney General Charles Crist, declined to provide details.

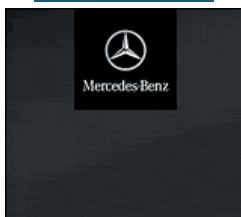
Sheriff's Col. David Parrish, who oversees Hillsborough's jail system, said his office is happy with the company's service.

The company had a contract with Hillsborough from 1982 until 1989. Correctional Medical Services, a St. Louis company, provided the low bid in 1989 and was awarded the next contract. When the contract came up again 18 months ago, Prison Health Services won the bid.

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