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## Illinois prison contractor paid \$3.1 million to resolve complaints over five years

By [Michael Sandler](#) | May 20, 2015

The Pittsburgh-based private company hired to provide healthcare to Illinois' adult inmates has had claims brought against it in the past.

A new report issued late Tuesday by court-approved researchers provides a detailed look at shoddy medical care in Illinois prisons, outlining delays in treatment, desultory follow-up care and poor record-keeping. The filing claims a host of issues could have cut short the lives of some inmates.

The Illinois Department of Corrections disputed the 405-page report, which was filed in U.S. District Court in Chicago in a class-action suit against the agency. The report makes a damning claim against IDOC, and says, "Illinois has been unable to meet minimal constitutional standards with regards to the adequacy of its healthcare program." The agency is responsible for 49,000 inmates statewide.

Plaintiffs argued that part of the blame lies with Wexford Health Sources, one of the named defendants. The Illinois

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Department of Corrections in 2011 awarded Wexford a 10-year contract worth more than \$1.3 billion to provide healthcare to Illinois' adult inmates, according to the company's website.

From Jan. 1, 2004, to Jan. 1, 2009, a total of 463 claims—including letters, demands, and both formal and informal letters of intent to sue—were submitted to Wexford from around the country. While it isn't known how many of the claims became lawsuits, Wexford Health settled 38 of the claims for a grand total of \$3.1 million over the five years. Nine claims were tried to conclusion, and Wexford won five of those verdicts.

One lawsuit resulted in a verdict against Wexford Health and four prison officials from an unnamed state for \$810,000, according to the report. That case claimed an inmate's corneal transplant was delayed.

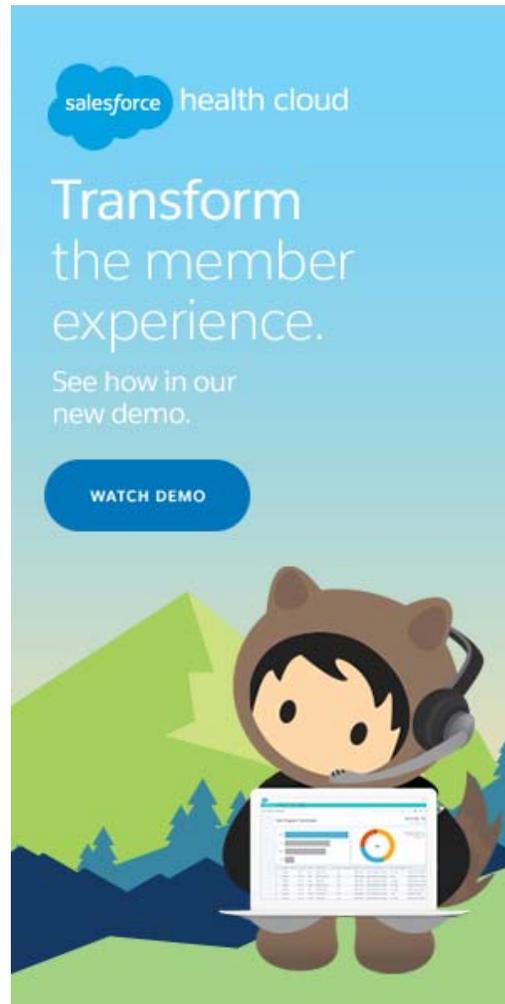
Another lawsuit resulted in a verdict against Wexford Health for \$50,000. In that case, a physician was accused of prescribing ibuprofen and Tylenol instead of other pain medications for a plaintiff who sustained a leg burn.

Wexford did not respond to requests for comment.

After the filing, the IDOC issued a statement saying the report "uses a broad brush to paint an incomplete picture of the comprehensive medical system in place" at Illinois prisons. The IDOC added that the authors visited just eight of 25 Illinois prison facilities.

The report cited multiple cases, including that of a 48-year-old inmate who pleaded for medical help after he experienced chest pain and coughed up blood. But the report said it took six months for doctors at the Hill Correctional Center in Galesburg, Ill., to locate a softball-size cancerous tumor clinging to his neck area and lung. It was too late, however, and he died four months later, according to the report.

"The blatant disregard for this patient's obvious symptoms ... is stunning," the report stated. "Despite the patient's repeated earnest cries for help, including several instances wherein he was essentially stating, 'I think I have cancer,' his symptoms



were brushed off ... until ... this dying man could no longer be ignored."

Inmate Don Lippert, who is diabetic, brought a civil suit in 2010 that induced the new report. His complaint contends that "deliberate indifference" about inmates' medical care violates the Eighth Amendment right against cruel and unusual punishment. Those allegations have been denied by prison officials.

According to the report issued Tuesday, the plaintiffs' complaint says Illinois pays Wexford a per-prisoner fee and "thus has an economic incentive to provide minimal care." According to a 2009 document, Wexford has maintained the nation's third-lowest healthcare cost per inmate in Illinois.

In 2005, IDOC terminated a contract with Wexford, which had held the business since 1992. In 2005, when the company was in negotiations with the American Federation of State, County and Municipal Employees, the union demanded a 43% pay increase in the first year of the proposed contract. Based on payment rates with the state of Illinois at the time, Wexford refused.

Recognizing the incompatibility of the union's demands with the finances that were available under the existing state correctional healthcare contract, and to avoid a AFSCME strike, IDOC terminated Wexford's contract.

However, in November 2005, the Illinois Department of Health and Family Services awarded Wexford a five-year, 26-facility contract to provide healthcare and mental health services to adult and juvenile offenders in IDOC's care.

Wexford has denied Tuesday's lawsuit allegations in earlier filings. A message left at its Pittsburgh headquarters Wednesday wasn't returned.

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