

Are Inmates Entitled To Health Care?

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Though legislators, prison officials, and citizens at large have ethical concerns with regard to inmates receiving health care, there are legal and social provisions in place that require similar services delivered to the incarcerated as are these services provided for citizens. If we keep prisoners from receiving the medical care they need and are warranted, then we stand the chance of creating greater ethical dilemmas that may directly lead to the decline of our incarcerated population. Therein, we create a hinderance to our public health system.

Health Care in Prisons

Ongoing questions cause this controversial topic to evolve into a complex ethical dilemma:

- Do prisoners deserve the same health care as law-abiding citizens?
- If prisoners are provided health care, why isn't every other United States resident given the same privilege?
- Why do criminals receive free health care when most U.S. citizens can't afford medical care?
- Should prisoners with pre-existing conditions be treated, even if the cost is outrageous?
- Is it fair for inmates to be given better medical care than citizens not incarcerated?

The above complex concerns fuel an ongoing debate.

Legal and Social Reasons

Legal, social, and public health reasons are why inmates are entitled to healthcare.

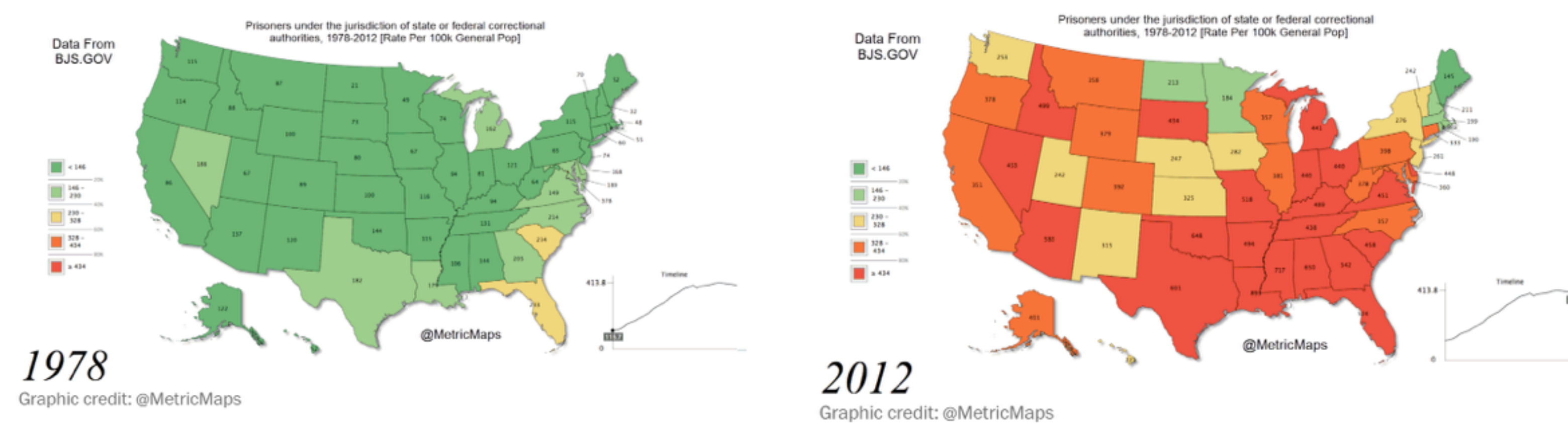
- Under the eighth amendment, prison officials are obligated to provide adequate medical care to prisoners.
- Proper care help preserve physical function among inmates, so that when released, they avoid hindering society

Piedmont

After spending time with the inmates at Piedmont, I realized that could be anyone, one poor decision could change our entire lives. The reason why I have chosen this topic is because I have recently declared my major as biology pre-medical and I am interested in healthcare in prisons and how people feel about this topic.



Growth



- Not only has health care changed in correctional facilities, but also the amount of inmates has grown over the last thirty years.
- In 1978, just 307,276 prisoners were under the jurisdiction of state or federal correctional authorities. In 1994, the prison population topped 1 million for the first time. In 2012, the last year for which statistics are available, more than 1.5 million prisoners were behind bars.
- The growing population behind bars means more inmates need medical care.
- The change and increase in health care in prisons directly correlates with the growth in populations in prisons.

Court Cases

In years past, there weren't many regulations about medical care in prisons. Everything changed in 1976 in the Supreme Court case *Estelle v. Gamble*. This case ruled that prisoners are entitled to:

- Access to care for diagnosis and treatment
- A professional medical judgment
- Administration of the treatment prescribed by the physician

These new laws have changed medical care within prisons over the last 30 years.

Though there are laws in place, there are still issues with inmates receiving proper care.

Other Cases:

- *Brown v. Plata*, 2011
 - Inadequate medical services, court mandated a population limit to insure that inmates receive adequate care
- *Budd v. Cambra*, 2002
 - Failed to provide licensed healthcare facilities, court issued a permanent injunction to ensure treatment to prisoners throughout the state
- *Fields v. Smith*, 2012
 - Wisconsin denied transgender inmates proper care, court turned down Wisconsin's appeal, giving transgender inmates adequate care

Insurance/ Costs

- When a person is incarcerated, like their job, their insurance is normally dropped.
- Prisons come together to form associations in insurance companies for cheaper insurance.
- After an inmate is released, they may qualify for lower costs in insurance.
- Because of Obamacare, they must either have healthcare, pay the fee, or get an exemption.

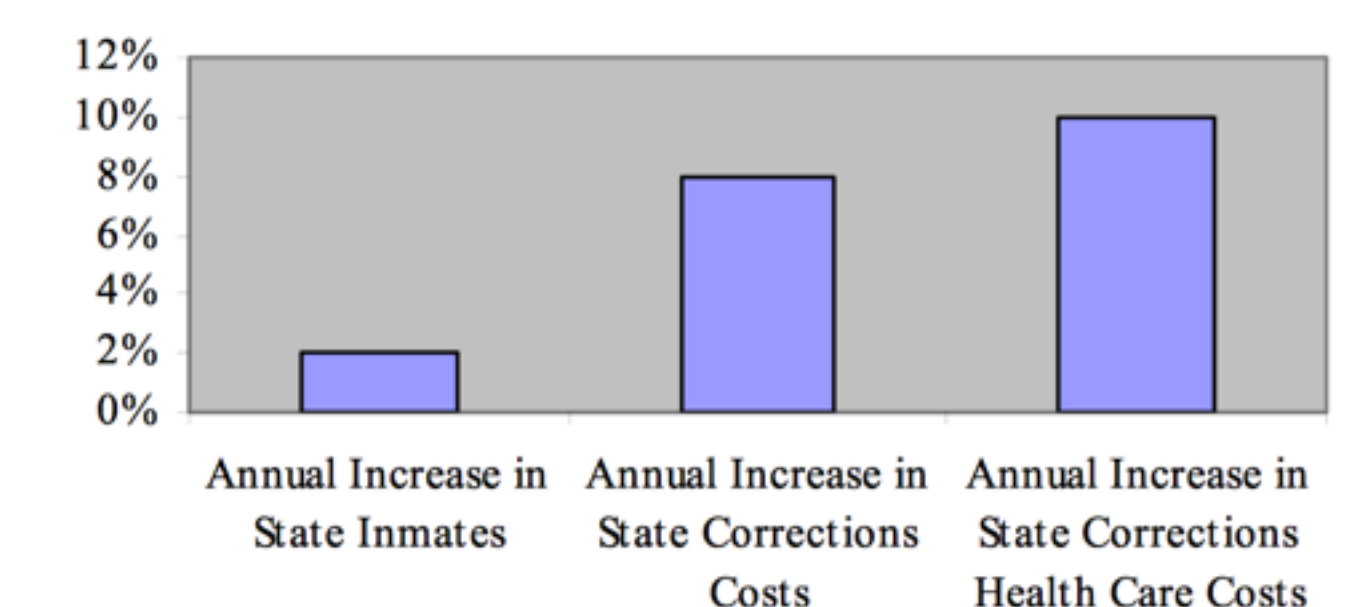
Who pays for prisoners healthcare and insurance?

- The state, but that includes taxpayers, many have issues with their money going to criminals health.
- If inmates don't receive proper care, the risk of them carrying a disease outside of the prison is higher.

Why are costs for healthcare in prisons rising?

- Services and treatments for Hepatitis C, HIV/ AIDS, mental health problems and the aging inmate population have contributed to the growth in costs.
- Just from 1998 to 2001, corrections healthcare budgets grew by ten percent annually.

Figure 1.1 Average Annual Increase in State Inmates, Corrections Costs and Corrections Health Care Costs 1998-2001



Conclusion

Though it may appear unjust or wrong to many to provide criminals the same medical care as those who have not been convicted of a crime, the provisions of healthcare toward individuals provides for improved health for our nation. One of the most important factors, I conclude, is that the effect of poor healthcare in prisons on public health. If officials work to increase health services and management in correctional facilities, it could also reduce the rate of recidivism.