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Posted at 3:20 PM ET, 12/28/2010

Inmate suit can proceed: Judge

By *The Associated Press*

A lawsuit claiming a Kansas-based inmate health care provider failed to provide adequate treatment to a mentally ill Virginia jail inmate who died of dehydration can move forward, a judge has ruled.

Farah Saleh Farah, 24, died Jan. 23, 2008, after being held in the Alexandria jail for 13 days for a probation violation for having a concealed handgun. Off his medications, Farah refused food and water for several days before asking for a doctor, an IV and some ginger ale that never came, the lawsuit said.

Farah's sister, Obah Farah Walker, filed the lawsuit against Correct Care Solutions and three employees in September in U.S. District Court in Alexandria. A federal judge denied a request to dismiss the case earlier this month, allowing it to proceed.

"Severe dehydration is painful and debilitating, and Farah suffered greatly before he finally lapsed into unconsciousness," the lawsuit said. "This result could and would have been avoided had defendants acted consistently with their constitutional, contractual and professional duties."

The company, which provides health care services to jails and prisons across the country, did not respond to a call seeking comment Tuesday.

In a response filed with the court, the company denied responsibility, saying it was not contracted to provide mental health care, food or water to inmates. It also said the injuries "were caused by the acts or omissions of others" over whom the company has no control.

Correct Care Solutions, a Kansas corporation with headquarters in Tennessee, gets about \$1.2 million a year to provide medical services at the jail in a contract that began in 2005. Its contract expires at the end of the month, and a city spokeswoman said bidders are being interviewed.

"The only reason folks are not generally appalled at what passes for health care in American jails and prisons is that they are happily ignorant of it," said Victor M. Glasberg, an Alexandria attorney representing Walker.

Born in New York City, Farah moved with his family to Alexandria in 1991. When he turned 18, he began having problems and was soon diagnosed with paranoid schizophrenia.

The lawsuit said Farah was "functional, social, competent and friendly" when he was on his medication, but when he was not he would starve himself and refuse water, among other things. His family had taken him to the hospital for dehydration on several occasions.

In 2007, Farah was arrested for carrying a concealed handgun. While on probation, he stopped taking his medications and wound up back in jail. While there, he refused his medication and ate or drank "virtually nothing" after his first few days of incarceration, the lawsuit said.

In a sworn statement, deputy sheriff Chris O'Dell said Farah's worsening condition was apparent to staff, who called in nurses with Correct Care Solutions to evaluate him.

"While he was always thin, in his last few days at the jail he looked positively cadaverous," O'Dell said.

Two days before Farah's death, Farah asked for a doctor, an IV and ginger ale, and a nurse was called. The lawsuit said the nurse provided no care, nor did she give Farah anything to drink.

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"She simply left him alone. She did not see him again until he was on the verge of dying from dehydration some 48 hours later," the lawsuit said.

The next day, a different nurse placed Farah on a doctor's list to be seen in two days, by which time he was dead.

The medical examiner determined Farah died of "dehydration due to psychosis with medication and food refusal due to schizophrenia, paranoid type." The company disputed that Farah died from dehydration.

"During the last days of Farah's life, any competent and reasonably diligent health care provider, including the individual defendants herein, had to have recognized from his woefully debilitated condition that this patient was in dire straits and needed immediately to be seen by a doctor," the lawsuit said.

When Farah was discovered unresponsive on Jan. 23, sworn statements from deputies and officials at the jail say the nurse on duty failed to provide any sort of medical care, didn't know where the defibrillator was located and told staff there was no need to call emergency responders. A deputy overruled her and ordered someone to call 911, and deputies attempted to resuscitate Farah until responders arrived. He died at the hospital.

The lawsuit accused the company of putting its bottom line before patients, saying workers were "mindful of their employer's interest in not incurring expenses in inmate care which might be considered avoidable."

In one sworn statement, the jail's mental health team leader, Anthony Briggs, said his staff had expressed difficulties "in getting CCS to follow up with inmates" on medical complaints. He said the medical company's staff indicated it was operating under financial constraints and that mental health personnel, including him, were told they were ordering too many expensive medications and "seeking interventions for inmates that were uncalled for."

"In several cases, inmates were hospitalized after the initial mental health requests were questioned or delayed" by the company, Briggs said.

Walker is seeking unspecified damages and a jury trial. The company also requested a jury trial.

By The Associated Press | December 28, 2010; 3:20 PM ET
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Comments

how sad. from reading this, it looks like the family does indeed have a strong case against Correct Care Solutions.

Good luck to the family, I hope they collect big.

Posted by: MarilynManson | December 28, 2010 3:48 PM | [Report abuse](#)







I cannot believe that in modern times, when someone with a chronic illness unfortunately finds themselves in jail, that they'd be denied their medication, or especially a trip to the hospital once its obvious their condition has become desperate. CCS said their mental-health personnel were ordering too many expensive meds? Welcome to the world of mental-health treatment, where pretty much every patient relies on medication that often spell the difference between life and death.


This is why private contractors have no business providing 'health services' in places like jails where patients have no alternative option but to rely on them; yet the company's mission isn't to provide patients with the best care possible - their mission is to provide their bottomline with the best care possible.

I hope the family takes 'em for all they're worth - the City of Alexandria, CCS, and the nurse herself who refused to so much as lift a finger to help a man who was dying a painful death.

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the nurse should be fired, and should never be permitted to work in the medical field again. CCS should be ordered to dissolve by the courts. There's no excuse for this kind of b.s.

Posted by: red2million | December 29, 2010 3:01 PM | [Report abuse](#)

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