Supreme Court Won't Hear Case of Prisoners With Hepatitis C

This means that Tennessee can ration hepatitis C treatment among prisoners living with the life-threatening virus.

April 22, 2021 By Trent Straube

The U.S. Supreme Court upheld the decision of an appeals court that allowed the Tennessee Department of Corrections to ration hepatitis C treatment among prisoners living with the virus, reports The Associated Press.

In deciding on April 19 not to hear the case, the nation's highest court let stand the August 2020 ruling of the 6th Circuit Court of Appeals. That decision found that it was reasonable for the Tennessee Department of Corrections to prioritize the sickest prisoners for hepatitis C treatment, instead of providing the treatment to everyone in prison with the virus.

Hepatitis C virus (HCV) attacks the liver. Over time, it can lead to liver disease, cancer and death. Hep C is a communicable disease most commonly transmitted through direct blood-to-blood contact, such as by sharing needles and drug paraphernalia, or through blood and organ transplants and tattoos.

In 2019, Tennessee had about 4,700 inmates with hepatitis C, according to the AP. As of August 2020, nearly 1,450 of them had completed treatment, and 176 were taking meds. The state had estimated that it cost about $17,000 to treat each prisoner.

Advocates for the Tennessee prisoners stress that it is cheaper in the long run to treat everyone with hep C instead of waiting for the disease to progress. Prisoners sued the state in 2016 in an effort to access treatment, alleging that denying them the meds amounted to physical and mental abuse. For more about that case, which led to the Supreme Court's support of the right to ration treatment, see "Tennessee Inmates Sue State for Hepatitis C Treatment."

Hepatitis C is curable. A variety of antiviral treatments have become available in the past decade. They generally consist of taking daily tablets for a number of weeks and have fewer side effects than older treatments. For more details, including a list of approved drugs, see Hep Mag's Basics on Hepatitis C Treatment.

Tennessee's decision not to treat all prisoners does not align with the recent efforts of other

states. For examples of states that are improving access to hep C treatment among the prison population, see:

- "How Michigan Plans to Eliminate Hepatitis C,"
- "Nevada Budgets $6M to Treat All Prisoners Who Have Hepatitis C" and
- "North Carolina to Boost Hepatitis C Screenings and Treatment."

Click here to learn the Basics of Hepatitis C. And for more about viral hepatitis and other forms of liver disease such as non-alcoholic fatty liver disease (NAFLD), see our Introduction to Hepatitis.

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