

INMATE GRIEVANCE FORM

9908-59-387

RECEIVED
OCT - 7 2005
GF-1

INMATE'S NAME [REDACTED] USP# [REDACTED] HOUSING AREA 11-505

SECTION 1 - INFORMAL ACTION To be completed by inmate:

Specific nature of grievances (who, what, when, where and how): *It has been 7 working days since I put in a medical Health care request form, I requested to be treated for the serious pains I've been having in my liver, I was tested positive for Hep C in 2000, I was denied treatment because they told me it cost too much also there's a waiting list and when picking and choosing who gets treated so I waited 3 years after I tested positive for Hep C, now because I was never treated I'm having serious pains because of it, and they ignored my health care request form like it means nothing to them, but I'm sure I was charged not to do that, which now is fraud I've been charged over and over again and I'm still being denied treatment, Also my rights are being violated, Eighth Amendment (Estelle v Gamble) This is causing serious harm to my health, and medical is very aware how serious this is, this is a serious medical need and its violating my Eighth Amendment rights (Farmer v. Brennan 1994) A medical need is considered serious if it causes pain discomfort, or threat to good health (Dean v. Coughlin, 1982) well its causing all three.*

Identify those contacted regarding your grievance and state what YOU HAVE DONE to resolve the issue:

The only thing I'm aloud to do is put in medical request forms, its his choice to see me or not, which he or she chooses Not to see me, knowing I'm in serious pain and its very discomforting, also its a serious threat to my health,

What is the specific remedy you seek? *Treatment as soon as possible*

[REDACTED] 10/4/05
 Inmate's Signature / Date

**LEVEL ONE GRIEVANCE
STAFF RESPONSE
UTAH STATE PRISON**

GRIEVANCE NUMBER: 9908-59-387

INMATE NAME & HOUSING: [REDACTED] U-1

INMATE NUMBER: [REDACTED]

Mr. [REDACTED] I have reviewed your grievance and your medical record.

Thats only for vac's for Hep "A" and "B" not for my pains from Hep "C"
I have checked with the scheduling secretary and you will be seen on 10/17/05. You can
access care emergently through the officers or the med techs. *I've been trying to get treatment from the medical staff,*

Whats talking going to do for me? How is talking going to help me with the pains and discomfort I'm having?
I have asked PA [REDACTED] to talk to you about Hep C and treatment. Treatment is
determined by clinical factors, measures, and liver biopsies. If you are not in prison long
enough to complete the treatment, it will not be started. Hopefully you will receive
answers to your questions. *When I tested positive for Hep C in 2000 they had
plenty of time to treat me, because I paroled three years after I tested*
Your treatment is continuing and appropriate. *Active for Hep "C"*

Thank-you for bringing this to my attention.

Staff RN

 10/13/05
Date

Original: Returned to Inmate
Copy: Level One Grievance File



Department of Corrections

SCOTT V. CARVER
Executive Director

BELLE BROUGH
Director, Division of Institutional Operations

CLINT S. FRIEL
Warden, Draper Site

State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

November 9, 2005

Inmate [REDACTED]
Uinta 1 611
Utah State Prison
P.O. Box 250
Draper, Utah 84020

RE: **Level 2 Response**
Reference: 990859387

Inmate Dalton:

I have reviewed your grievance. You allege you submitted a health care request more than 7 working days prior to October 4, 2005, and you still have not been seen for your complaint of hepatitis c. You request treatment as soon as possible.

Seven working days prior to October 4, 2005, (the date on your Level 1 grievance form) is September 23, 2005. Your medical records show you were seen on September 26, 2005, for your complaint of gastrointestinal problems including hepatitis C. You were scheduled to be seen again on October 17, 2005, but refused to be seen.

In order to receive treatment for hepatitis C your condition must meet a specific criterion. It is my understanding the reason for this is that the treatment will not be effective if you do not meet the criterion. At this time treatment is not clinically indicated.

Your request for treatment as soon as possible is resolved.

You may appeal the Level 2 decision by following the procedure outlined in FDr 02/03.04.

[REDACTED]

[REDACTED] Inmate Grievance Coordinator

[REDACTED]

[REDACTED] Correctional Administrator for,
[REDACTED] Warden
Utah State Prison

59387

GRIEVANCE FORWARDED

GF-5
TO LEVEL 3


Inmate Grievance Coordinator

Reference No: 990859387


Subject Code: _____


Location Code: _____

Day/Month/Year: 11/19/05

Level: Three

INMATE COPY GRIEVANCE APPEAL FORM


Name


USP Number

U1-6-11
Housing Unit

REASONS FOR APPEAL

List the reasons why the prior administrative grievance decision is unacceptable.

First of all I'm still suffering, And I'm still not being treated for Hep "E" Also Billie Casper wrote back to my level 2 Grievance concerning my pain and suffering from no treatment for Hep "E" Well everything Billie Casper said in his level 2 response was false, like him stating I was seen on the 26 of september 05 for Hep "E". That's a lie, I have my medical record and it states the facts of my medical history, I was (only) seen on the 26 of sep 05 for gastrointestinal (Not for Hep "E"). Also Billie Casper states that my level one Grievance was dated september 23 05, And that's a lie, look at the date on my level one Grievance it's dated October 4, 05 7 days after I filled out a medical form concerning my pain and suffering. Also Billie Casper states I refused a doctor visit on the 17 of october 05, which that's a lie I refused dental that day and only dental. The remedy I seek is medical treatment for Hep "E" and to be compensated for my pain and suffering since 2000
If additional pages are necessary, please attach to this sheet.

and suffering in my stomach, no so no paper treatment, so This Grievance is only for my pain and suffering from no treatment or help for Hep "E"


SIGNATURE

11/19/05
DATE SUBMITTED

THIS DOCUMENT MUST BE SENT THROUGH UTAH STATE PRISON MAIL - NO POSTAGE NEEDED



THE STATE OF UTAH

Department of Corrections

SCOTT V. CARVER
Executive Director

CHRISTINE MITCHELL
Deputy Director

Hearing Office

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

DATE: December 5, 2005

[REDACTED]

Uinta I #611

RE: Grievance #990859387

Inmate [REDACTED]

I reviewed the above-noted grievance. You allege you submitted a health care request and were not seen for your complaint of hepatitis C. I also allege for the prison to pay for hep c treatment because I did meet the ~~set~~ criteria in 2000 when I tested positive for hep c.

Medical records indicate that on Sept. 26, 2005 you were examined for gastrointestinal problems and for helicobacter pylori, which is associated with hepatitis C. Records show that lab tests were conducted for these two conditions. And the only two conditions where helicobacter and gastrointestinal problems not hep c. And also the two conditions are a stomach infection not hep c.

Medical personnel have determined that you do not currently meet the criteria for hepatitis c treatment. But yet I did meet these criteria in 2000 and since they did not treat me I'm having other problems, pains and constant suffering. And hep c probably caused me to get helicobacter and gastrointestinal problems and more pain and suffering.
Your grievance remedy is resolved.

There is no additional administrative review. If you remain unsatisfied, you must seek a judicial remedy. [REDACTED]

Hearing Office
Utah Department of Corrections

cc: Grievance Coordinator
file

Level 3