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Judge approves \$10 million judgement in Washington County jail death lawsuit

HILLSBORO, Ore. – A federal judge approved a \$10 million judgment against Corizon Health and Washington County in a lawsuit over a woman who died while suffering from heroin withdrawal symptoms in the Washington County Jail in 2014. Madaline Pitkin, 26 at the time, was arrested on April 16, 2014 for possession of heroin. She died on April 24, 2014 after saying she was feeling the effects of withdrawal and showed symptoms for days. Lawyers for Pitkin's family say the jail's health provider, Corizon Health, failed to get Pitkin the help she needed. They say the county knew about concerns at the jail. "She was smart, beautiful, talented, funny, and a person who stood up for friends, so we felt we needed to stand up for her," said Russ Pitkin, Madaline's father. Pitkin spent seven days in jail. Family lawyers say she reported to jail staff that she had used heroin. In the days before her death, the lawsuit says Madaline Pitkin submitted four Health Care Request forms asking for medical care. She described nausea, vomiting, and diarrhea. She reported being unable to hold down food or water. In her last request for medical care, Pitkin wrote, "This is the 3rd or 4th call for help. I haven't been able to keep food, liquids, meds down in 6 days ... I feel like I am very close to death. Can't hear, seeing lights, hearing voices. Please help me. ..." She was transferred to the Medical Observation Unit on April 23, 2014. That same day, the medical director and only physician on staff at the Washington County Jail at the time, Joseph McCarthy, was fired for falsifying records and failing to treat patients. Madeline was found dead in her cell the next day. Family lawyers say deputies found a handwritten copy of the Lord's prayer and the serenity prayer. "The last conversation Madaline had with anyone was with a deputy, whom she told that when she got out of this jail, she's going to do everything she needs to do to beat this terrible addiction," said John Coletti, a lawyer for the family. The Washington County Medical Examiner determined she died of "complications from chronic intravenous drug abuse." Family lawyers say Pitkin should have been taken to a hospital. Coletti says all Pitkin needed was an IV. "She died of dehydration, associated with withdrawal from heroin," said Coletti. "Something that typically never happens unless you don't get the medical care you deserve or should have had, and it's the policies or practices that they had in place that came together to cause this horrific event." According to the lawsuit, whistleblowers brought up concerns at the jail long before Pitkin's death. It read, "In the months prior to the death of Madaline Pitkin, Corizon's Physician's Assistant at the Washington County jail notified policymakers at Washington County that Corizon was placing profit over patient safety. She also conveyed to the policymakers Washington County and senior management at Corizon that the Washington County jail was understaffed, its medical staff insufficiently trained, thereby placing the patient population at substantial risk of harm." In 2013, the Washington County Auditor, John Hutzler, warned the county of problems with understaffing at the jail. Pitkin grew up in North Portland, graduated St. Mary's Academy, and attended the University of Oregon. Family don't know why Pitkin turned to heroine, or why she never came to them for help, but they say this could happen to anyone. "We're losing young people to this awful opioid addiction. It's just sad, it's just sad, beautiful people," said Mary Pitkin, Madaline's mother. When asked if she felt vindicated by winning the lawsuit, Pitkin's mother said, "How are you supposed to know, unless deaths stop happening like this." "We hope we've had an impact; we've done all we can do to shed a light on it. It's just tragic, and it's got to stop," said Russ Pitkin. "We don't know what we can do beyond what we've done." Previously, the Washington County Sheriff's Office said Corizon Health had refused to resolve the Pitkin family's claim, forcing the family to file the federal lawsuit. Corizon Health stopped providing medical services to the Washington County Jail on May 31, 2015. The current health care provider is NaphCare Inc. A spokesperson for the sheriff's office said, "Corizon fully indemnified Washington County and Corizon is liable for 100 percent of the judgment and legal fees." The Washington County Sheriff's Office issued the following statement in response to the judge's ruling: "The death of Madaline Pitkin was a tragedy, and our thoughts are with her family. Since that incident, many changes have been implemented to how healthcare is provided to inmates at the Washington County Jail. Our current healthcare provider, NaphCare, has piloted a program in Washington County to provide medication that helps inmates who

are detoxing from drugs. The success of that program has been replicated in a number of other jails, and has proven to be an effective way to treat those suffering from drug addiction. Washington County has also hired an experienced contract administrator to work full-time at the jail for the purpose of monitoring this healthcare contract and other contracts. Our corrections staff remain dedicated to the safety and security of all individuals in custody." Corizon Health CEO Steve Rector issued the following statement: "As our Offer of Judgement indicates, in 2014, our medical team at the Washington County Jail failed Madaline Pitkin and her family. The amount of this settlement is unprecedented for our company and reflects how far removed the facts of this case are from our standards and expectations of care. For whatever small comfort this may provide, the lessons we've learned from this case have been catalysts for significant changes we have made and are still making to our clinical program. I was not at Corizon Health when Ms. Pitkin was our patient but am deeply disappointed in our performance at the time and feel tremendous sympathy for her parents and loved ones. The company was reorganized in 2017, and today we operate with a new leadership team and new Board that includes three independent directors. We are committed to ensuring our company supports our teams in providing the best possible care. At Corizon Health, we have amazingly talented healthcare professionals who feel a sense of mission to care for those who are incarcerated. This case does not reflect the commitment and compassion that the vast majority of our staff bring to their jobs."