

Leading for-profit prison and immigration detention medical company sued at least 1,395 times

A company whose medical care of immigrant detainees at one of the nation's largest detention centers was criticized in a recent Department of Homeland Security watchdog [report](#) has been sued a staggering 1,395 times in federal courts over the last decade, according to a document published by Yahoo News as part of an investigation supported by the nonprofit Project on Government Oversight.

The firm, Nashville-based Correct Care Solutions, is one of the country's biggest private providers of health care to prisons and immigration detention centers. The number of lawsuits contained in the document, not previously disclosed, is many times higher than previously reported.

While the two largest private prison companies, GEO Group and CoreCivic, are often at the center of debates over outsourcing imprisonment and immigrant detention, [thousands of other companies](#) like Correct Care Solutions are also involved in this multibillion-dollar industry. These companies are largely unknown to the public and even to some policymakers. Yet the health care companies, especially, can have life-and-death impacts.

A privately held company founded in 2003 and owned by two private equity funds, Correct Care Solutions has annual revenues estimated at \$1.2 billion. It turned over its [litigation history of 1,395 cases](#) "only after significant resistance

and pursuit in court,” said Darold Killmer, a Denver-based civil rights lawyer who has represented multiple clients who have sued Correct Care Solutions.

“The list shows that the company’s incessant push for profits at the expense of providing necessary medical care has foreseeably led to corner-cutting, resulting in deaths and untreated injuries of countless people,” he added. Killmer, who described the company as “an extraordinarily secretive firm,” obtained the list during discovery for an upcoming case in federal court in Wyoming. “CCS has for years resisted allowing anyone to see such a compilation, but their tactics of evasion and avoidance were not tolerated” by the judge in the case, Killmer said.

Correct Care Solutions is using secrecy to try to shield itself from scrutiny and financial responsibility for the medical problems it has caused, according to Killmer. “Such cynical and intentional conduct is designed specifically to eliminate the possibility that the public or government regulators will detect this massive pattern of misconduct,” he said. “And so far, they’ve largely gotten away with it.”

The complaints allege a range of charges, including wrongful death, malpractice and inadequate medical care. Many were filed by inmates without attorneys, but the list includes a number of high-profile cases involving inmate deaths and some in which plaintiffs obtained large settlements from Correct Care Solutions, interviews and court records show. Killmer and other Colorado attorneys said the 1,395 figure is an undercount, and they have cases of their own, and know of others, that were not included on the list Correct Care Solutions turned over. The list also contains only cases filed in federal courts, not with state courts.

A lawsuit is a formal claim made in court; most [do not proceed to trial](#) and either lead to settlements, are dismissed or are dropped.

The list also contains only civil allegations made against the firm, not criminal charges brought by government authorities against its employees. Earlier this month, [Michigan law enforcement announced](#) the arrest of a prison doctor employed by Correct Care Solutions who allegedly had inappropriate sexual conduct with female inmates. The company fired the doctor last month.

“As one of the nation’s largest providers of correctional health care, a certain amount of litigation is to be expected,” Correct Care Solutions wrote in a March 2018 [document](#) to Lancaster County, Neb., where it was bidding for a medical contract for the local jail. “Nevertheless, we believe our litigation history reflects relatively modest losses for a business of our size and scope, and is indicative of the high quality services we provide.”

Correct Care Solutions claimed that more than 750 lawsuits “were dismissed without payment to the plaintiff” and that it had settled an average of fewer than eight cases per year, “with an average of approximately \$20,000 paid on closed cases.” According to the statement, “each settled lawsuit is subject to legally binding bilateral confidentiality agreements and cannot be disclosed.”

According to its website, Correct Care Solutions works in 38 states and provides medical or behavioral care to several hundred thousand detainees in local, state and federal prison and immigration detention facilities. The firm has long faced repeated accusations of negligent and inadequate care.

News accounts show that authorities in several states are reviewing their relationship with Correct Care Solutions. In Colorado, the company is reportedly facing six wrongful death lawsuits. In one case, a man “died in a pool of his vomit and blood from treatable conditions” and in another an inmate “with the mind of a 6-year-old ... died of seizures after jailers confiscated a medical device that could have prevented them,” according to a [story](#) in the *Colorado Springs Gazette*.

In Nebraska, 13 current and former inmates or their families are suing the company for negligence and malpractice, [according to](#) the *Omaha World-Herald*. One inmate named Roger Cook lost 64 pounds while in the county jail. He died 10 days after being released, of advanced lung cancer, which the firm had allegedly failed to diagnose.

In New York state last year, Correct Care Solutions was in contract discussions with Nassau County to handle medical care at its jail until a New York Civil Liberties Union official and county Democratic Party leaders [announced](#) that the healthcare company’s litigation record had left them “extremely concerned.” The Long Island newspaper *Newsday* [reported](#) that Correct Care Solutions was a defendant in more than two dozen federal lawsuits related to inmate deaths and 145 additional lawsuits alleging negligent inmate health care.

Correct Care Solutions’ work in immigrant detention centers has also drawn critical scrutiny. Correct Care Solutions and the health care companies it has acquired in recent years — Correctional Healthcare Companies, ConMed, Physicians Network Association, and the health care subsidiary of private prison company GEO Group — provide medical care at dozens of sites that hold immigrant detainees, according to Immigration and Customs Enforcement

data from November 2017. This includes the Adelanto ICE Processing Center near Los Angeles, which can hold 1,940 immigrant detainees, the largest detention facility in California.

Private prison giant GEO Group, which runs the Adelanto center for ICE, regularly subcontracts with Correct Care Solutions at immigration detention centers and prisons. At Adelanto, GEO Group outsourced medical and dental care to Correct Care Solutions.

Three detainees died at Adelanto over a three-month period last year — one committed suicide, a second died of internal bleeding and the third collapsed as he was playing soccer — leading Detention Watch Network, a national advocacy group, to dub it ICE’s “[Deadliest Facility](#).”

On Sept. 27, the Department of Homeland Security Inspector General’s office released a [damning report](#) on conditions at Adelanto. The report came after an unannounced visit to the site. It didn’t cite Correct Care Solutions by name but concluded that medical care was “Untimely and Inadequate.” It said “medical care deficiencies” played a role in two of the 2017 deaths at Adelanto.

ICE’s [detainee death reviews](#) named Correct Care Solutions.

Between November 2017 and April 2018, “detainees filed 80 medical grievances (about 34 percent of all grievances filed) with the center for not receiving urgent care, not being seen for months for persistent health conditions, and not receiving prescribed medication,” the report said. “They also reported that their appointments were sometimes canceled with no explanation.”

Dental care was especially grisly. “Detainees are placed on waitlists for months and, sometimes, years to receive basic dental care, resulting in tooth loss and

unnecessary extractions in some cases,” the report says. It said that floss was “only available through detainee commissary accounts, but the dentist suggested detainees could use string from their socks to floss if they were dedicated to dental hygiene.”

“The safety, rights and health of detainees in ICE’s care are of paramount concern and Adelanto, like all ICE detention facilities, is subject to stringent, regular inspections,” emailed ICE spokeswoman Lori Haley. “ICE takes seriously” the Inspector General’s findings, “and has agreed to conduct a full and immediate review of the center to ensure compliance with detention standards and expedite necessary corrective actions.” ICE confirmed that Correct Care Solutions continues to provide medical and dental care at Adelanto.

ICE isn’t the only part of the federal government paying for Correct Care Solutions’ services. The company has won more than \$127 million in contracts with the Bureau of Prisons since 2012. A 2015 Justice Department audit found that Correct Care Solutions failed to provide required medical staffing levels for [34 out of 37 months](#) from December 2010 through December 2013 at the Bureau’s Reeves County Detention Center, also run by GEO Group. Correct Care Solutions is [currently facing](#) another Justice Department Inspector General audit over its performance at the bureau’s prison in Coleman, Fla.

Correct Care Solutions has never publicly disclosed its litigation history, and the list shows that previous news accounts seriously underestimated the true number of cases filed against it. A Bloomberg[story](#) from earlier this year found “hundreds of suits involving Correct Care or its affiliates in the past five years.” A 2017 [story](#) in The Daily Beast found 140 lawsuits.

Nell Callahan, a communications consultant with Washington, D.C.-based SKDKnickerbocker who works with Correct Care Solutions, said the company could not comment on specific cases “because of either the terms of the settlement or because they are in active litigation.”

The Florida Bulldog [reported](#) in August that it filed a freedom of information request to get Correct Care Solutions’ litigation history from the Broward Sheriff’s Office. The firm had submitted a lawsuit compilation while successfully bidding for a three-year, \$160 million contract with the Broward jail system, but the company and Broward officials refused to provide it to the *Bulldog*, citing proprietary secrets, the news site reported.

“The final disposition of each settled lawsuit is subject to legally binding bilateral confidentiality agreements and cannot be disclosed,” Correct Care Solutions said in its 2018 bid proposal to Lancaster County, Neb.

Killmer obtained the list of lawsuits from Correct Care Solutions while preparing for the case of Scott Millward (set to begin next month), who died at the Teton County Jail in Wyoming in 2015 after being arrested on a DUI charge a few days before. The coroner’s report said that Millward, the son of a former sheriff, died “due to cardiovascular disease with hypertension” and that inadequate medical care was a contributing factor.

“His blood pressure was off the chart when he got brought in, but he wasn’t seen until the following day,” Killmer said. “There’s a hospital down the street. We drove it and it takes 55 seconds to get there, but they didn’t send him to the emergency room. The guy had tremors, and they told him to get back into his cell and sleep it off. Thirty-six hours later he was dead of a heart attack.”

Killmer reiterated that the true number of lawsuits filed against Correct Care Solutions is higher than 1,395. “This list is substantial but not complete,” he said. “I am certain of this because it does not even include all of the cases that our firm has brought against CCS. I am aware of other cases that have been filed against CCS that are not included in this compilation.”

Indeed, the Millward case is not on the list Correct Care Solutions turned over.

Erica Grossman, a Denver-based civil rights attorney, confirmed that several cases filed against Correct Care Solutions by her firm, Holland, Holland Edwards & Grossman, were not counted as well. Among them was that of Kenneth McGill, a former inmate at the Jefferson County jail in Colorado who in [2012 suffered a stroke but wasn't transported to a hospital until the following day](#). In 2014, a U.S. district court jury awarded McGill \$11 million from Correct Care Solutions.

McGill suffered the stroke in 2012, when the jail's health care was provided by a company called Correctional Healthcare. [But Correct Care Solutions bought that firm in 2014](#) and after the jury made its decision, it negotiated a private settlement with McGill.

James Brill, MD, a Correct Care Solutions physician at the time, was also named as a defendant and was called by the company to testify. However, his testimony was critical of the staff's treatment of McGill. “If the nurse had called me in the middle of the night describing the symptoms McGill was having, I would have sent him out to the hospital,” Brill said, [according to](#) a Denver news channel.

Brill was fired by Correct Care Solutions hours after his testimony and sued the company for wrongful termination. He negotiated a settlement with the firm, the terms of which are sealed.

“The problem is built in to the way they operate,” Brill said in a phone interview. “McGill needed an immediate CAT scan followed by an MRI, but those procedures are expensive, and their position is to cut costs to increase profits.”

During his time there, Brill said the company replaced skilled staff with inexperienced personnel.

“I never saw a written policy about this, but it was obvious when I worked there that they tried to cut costs in every way, from blowback for ordering medical tests or the purchase of medications to the personnel they hired,” he said. “I thought they were negligent from the start.”

Correct Care Solutions is not the only firm that has been hit with lawsuits and negative publicity for providing inadequate care. Critics say the problem is the model of private care itself and that these companies have an incentive to cut costs because it pads profit margins. The dynamic is worse at prisons and detention centers because detainees have no choice of providers and facilities are largely shut off from public scrutiny, they say.

“Our business plan is to put patients first; we prioritize patient care, not profits. That’s a sound business model; denying care and medications to cut costs is not,” Judy Lilley, vice president of communications for Correct Care Solutions, told Yahoo News.

Grossman, the civil rights attorney, doesn't believe that's an accurate characterization. "These are not hopeless medical problems," she said. "Doctors know how to treat dehydration or prescribe antibiotics for infections. Doctors know how to do a cardiac workup. But doctors and hospitals cost money, money which CCS is not willing to spend on health care" at the expense of profits.

This article was reported in partnership with the nonprofit [Project on Government Oversight](#), an independent, nonpartisan government watchdog.

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