

Diabetes Care: Court Says Prisoner's Rights Were Not Violated.

A prisoner in a state prison sued two nurses, the prison doctor, the warden and two prison guards alleging substandard health care.

The prisoner told his nurses he believed he was supposed to have daily finger sticks to monitor his blood sugar levels. The nurses refused to do finger sticks because they had no physician's order.

The nurses, however, did contact the doctor because the prisoner was reporting headaches, a possible symptom his blood sugar levels were not being managed appropriately by his oral medication.

The doctor decided to discontinue his oral diabetes medication for a few days with the nurses to do daily finger sticks, but the prisoner refused to allow it.

A prisoner's disagreement with his healthcare providers does not imply deliberate indifference.

UNITED STATES DISTRICT COURT
VIRGINIA
October 19, 2005

The US District Court for the Western District of Virginia threw out the prisoner's lawsuit.

In general, a prisoner has the Constitutional right to be free from cruel and unusual punishments. That translates to the right to sue healthcare providers if they have been deliberately indifferent to the prisoner's serious medical needs.

However, the court ruled that deliberate indifference does not occur any time a prisoner disagrees with the course of treatment that prison caregivers have chosen. The court could see nothing wrong with the actions of the nurses or the physician in this case. ***Spencer v. Williams, 2005 WL 2671345 (W.D. Va., October 19, 2005).***