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Eric T. Schneiderman



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A.G. Schneiderman Sues Nassau County Prison Health Service Provider, Armor Health, Alleging Inadequate Care Of Inmates

News from Attorney General Eric T. Schneiderman

FOR IMMEDIATE RELEASE

July 12, 2016

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A.G. SCHNEIDERMAN SUES NASSAU COUNTY PRISON HEALTH SERVICE PROVIDER, ARMOR HEALTH, ALLEGING INADEQUATE CARE OF INMATES

Of 12 Inmates Who Have Died Since Armor Was Contracted By County, Five Were Found To Have Received Inadequate Medical Care

Lawsuit Alleges Armor Correctional Health Services Breached Contract By Failing To Provide Adequate Health Services To Inmates

Schneiderman: Neglecting The Duty To Provide Adequate Care Not Only Defrauds Taxpayers, It Compromises The Health And Safety Of Inmates, With Sometimes Fatal Consequences

NEW YORK – Attorney General Eric T. Schneiderman today announced a lawsuit against Armor Correctional Health Medical Services (“Armor”) for allegedly failing to provide the proper medical services to inmates as required by its contract with Nassau County Correctional Center (“NCCC”). The lawsuit, filed in New York Supreme Court, alleges that Armor, a Florida-based prison health services company responsible for providing comprehensive medical services to Nassau County Correctional Center (“NCCC”), through its \$11,000,000 yearly contract with Nassau County, either failed to perform or egregiously underperformed many of its obligations. Since Armor started providing services to NCCC in 2011, 12 inmates have died in custody, one just last week, and three others since March 2016.

“Prison inmates rely on companies providing health services for a wide range of medical issues, many of which have gone untreated. Those struggling with chronic diseases, mental health and substance abuse problems deserve comprehensive, reliable and high-quality medical care,” said **Attorney General Schneiderman**. “Failing to provide proper health services as required is completely unacceptable. Neglecting the duty to provide adequate care not only defrauds taxpayers, it compromises the health and safety of inmates, with sometimes fatal consequences.”

Receiving needed care from a correctional health provider benefits the individuals and public

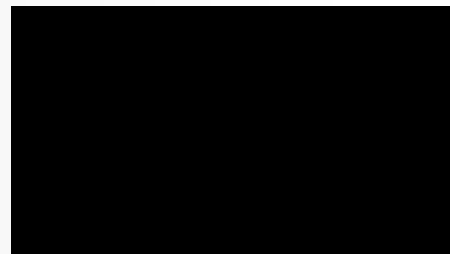
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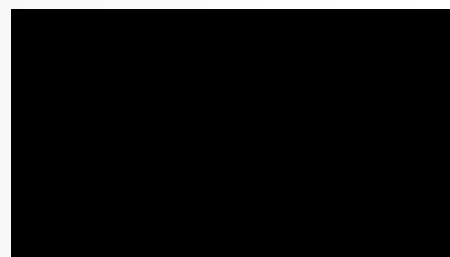
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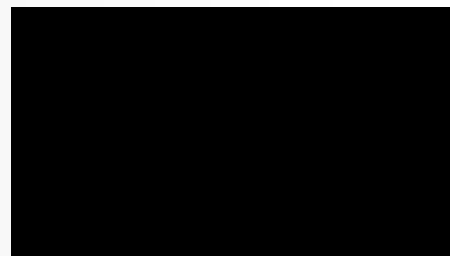
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health broadly, as these men and women will return to their community after incarceration.

Individuals in jails, like NCCC, often have complex medical needs and many have not necessarily been connected to any health care. At NCCC, inmates are entirely reliant on Armor’s ability to provide the medical services required under the contract. This lawsuit alleges that Armor failed to meet numerous performance standards required under the contract, and yet it repeatedly billed Nassau County in full for the services provided. It is alleged that this conduct constitutes false and fraudulent billing under New York’s False Claim Act, as well as illegal and deceptive business practices under Executive Law § 63(12). It is also alleged that Armor’s failure to provide proper medical care can dramatically impact inmates’ medical conditions: of the twelve inmates who have died at NCCC since Armor started providing services, five of those inmates were later found by the NYS Commission on Correction to have received inadequate medical care.

Armor allegedly failed to uphold numerous aspect of its contractual obligations, including:

- Not timely responding to inmates’ request for medical assistance, and at times failing to respond entirely;
- Not providing required reports regarding assessment of care and improvement plans where audits show failures;
- Failing to provide timely and continuous access to prescription medications;
- Failing to provide timely and effective diagnostic services, such as laboratory tests;
- Failing to reliably provide important mental health services, such as treatment plans;
- Failing to provide adequate access to off-site medical specialists; and
- Understaffing key clinical and managerial positions, including leaving some positions vacant for months at a time.

The lawsuit further alleges that while Armor is required to conduct an array of assessments on the care it delivers, Armor has not produced records that demonstrate it has done so. In particular, Armor failed to conduct the required number of self-audits, and even when it did identify areas of inadequate performance, it only rarely developed or implemented corrective action plans to address the identified problems, as it was obligated to do under the contract.

The lawsuit seeks to ensure that Armor fully complies with its obligations under the contract and pays damages to the county. Measures include:

- Appointing an independent monitor to oversee ongoing compliance with the contract
- Permanently enjoining Armor from bidding for future health service contracts in New York State
- Pay fines and damages

This litigation is being handled by Assistant Attorneys General Dorothea Caldwell-Brown, Brant Campbell, and Elizabeth Chesler, with assistance from Volunteer Assistant Attorneys General Samuel Canales, Laura Puhala, and Matthew Reisman. The Health Care Bureau is led by Bureau Chief Lisa Landau and is part of the Social Justice Division, led by Executive Deputy Attorney General for Social Justice Alvin Bragg.

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