

Lawsuit: Wellpath Community Care withheld a jail detainee's HIV medication for months, leading to his death from AIDS

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/EINPresswire.com/ -- Medical staff at El Dorado County Jail

never gave an HIV-positive South Lake Tahoe man his prescribed antiretroviral medication for two months as he was being held on a failure to appear charge while awaiting trial.

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Civil Rights Attorney Patrick Buelna

The failure of Wellpath Community Care medical staff to provide Nicholas Overfield's medication caused him to develop AIDS and die approximately four months after he was detained at El Dorado County Jail, according to a federal civil rights lawsuit filed Jan. 16, 2024.

"Nick's case is a harrowing example of Wellpath's failure to provide basic human rights and medical care to detainees," said [Patrick Buelna, civil rights attorney](#) with Oakland-based Pointer & Buelna LLP. "His unnecessary suffering

and death highlight a disturbing pattern by Wellpath, the largest provider of jail medical services in the nation, of disregard for the health and well-being of those in the custody of our justice system. This lawsuit aims not only to seek justice for Nick and his family but to ensure that such inhumane treatment is never repeated in California or anywhere else."

Wellpath, of Nashville, Tenn., is also the defendant in a federal civil rights lawsuit where a man was never given his prescriptions to control his schizoaffective disorder while being held in the notorious Santa Rita Jail in Alameda County. In that case, Maurice Monk, lay unmoving and dead in his cell for several days without Wellpath medical staff ever checking on his condition.

When Overfield was arrested in his home in February 2022, he told the officers that he was HIV positive and needed his prescribed antiretroviral medication that his mom then handed to arresting South Lake Tahoe Police Officers, the lawsuit states.

Medical records and witness statements reveal that Overfield's health deteriorated so significantly during his two months in custody that he could not walk or speak coherently, yet he was only rushed to the hospital in the hours after his mother spoke to a jail nurse about her

concerns for her son's rapidly worsening health.

"In one medical record from Barton Memorial Hospital dated April 24, 2022, a nurse writes that she spoke with a jail nurse from El Dorado County Jail who reported that Nick 'has not had access to his HIV medications since taken (sic) into custody in February,'" the lawsuit states.

Given the severity of his medical condition, Overfield, 38, was transferred to a hospital in San Francisco for further treatment, then placed into hospice care. He died on June 21, 2022.

The death certificate cites encephalitis varicella zoster virus, an AIDS-defining condition, as the cause of death, and indicates that Overfield contracted the virus while in custody and being deprived of his medication.

The lawsuit seeks accountability and justice for the inhumane treatment Nick suffered, alleging that Wellpath, along with El Dorado County and South Lake Tahoe Police Department officers, failed to provide the minimum standard of medical care required for a detainee with a known, life-threatening medical condition.

"This inexcusable lack of medical care is standard operating procedure for Wellpath," said [civil rights attorney Ty Clarke](#), also with Pointer and Buelna LLP. "In California alone there are several other documented incidents of Wellpath failing to provide HIV positive individuals with their prescribed medication while in jail. Nick's blood is on Wellpath's hands and we should all be furious that Wellpath continues to rake in hundreds of millions of taxpayer dollars nationwide while providing levels of medical care that you wouldn't wish on your worst enemy."

The lawsuit was filed at U.S. District Court, Eastern District of California, in Sacramento; *Overfield v. Wellpath Community Care LLC, County of El Dorado, et. al.*; Case 2:24-at-00052 (Jan. 16, 2024).

About [Pointer & Buelna, LLP, Lawyers for the People](#): Civil rights attorneys Adanté Pointer and Patrick Buelna started their law firm to give people a chance against large institutions like the police, government, corporations and insurance companies. They have secured many of the largest trial verdicts and settlements in these practice areas.

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