

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN**

KOHCHISE JACKSON,

Plaintiff,

Case No.:

v.

Hon.:

CORIZON HEALTH, Inc.,

a Delaware corporation.,

PRIME HEALTHCARE SERVICES – PORT HURON, LLC,

a Delaware limited liability company,

COLLEEN MARIE SPENCER, and

DAVID A. KRAUS,

**JURY DEMAND**

Defendants.

Laurence H. Margolis (P69635)

*Margolis, Gallagher & Cross*

Attorneys for Plaintiff

214 S. Main St., Suite 200

Ann Arbor, MI 48104

(734) 994-9590

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**COMPLAINT**

Plaintiff KOHCHISE JACKSON, by and through his attorneys, MARGOLIS GALLAGER & CROSS, brings this action for legal and equitable relief against Defendants for deprivation of Plaintiff's federally protected civil rights pursuant to 42 U.S.C § 1983. For his cause of action against Defendants, Plaintiff respectfully states as follows:

## **JURISDICTION AND VENUE**

1. This action is brought against the Defendant pursuant to 42 U.S.C § 1983 for deprivation of civil rights secured by the Eighth and Fourteenth Amendments to the United States Constitution.
2. Jurisdiction is founded upon 28 U.S.C. §1331, §1343(a)(3)(4), and §1367(a). This Court has jurisdiction over the Plaintiffs' claims of violation of civil rights under 42 § U.S.C. 1983. Relief is authorized pursuant to 28 U.S.C. §§2201, 2202; and 42 U.S.C. §1983.
3. Venue is proper in this Court pursuant to 28 U.S.C. §1391 in that factual acts and omissions which give rise to this cause of action occurred within this jurisdictional district.

## **THE PARTIES**

4. Defendant Corizon Health, Inc. is a for-profit Delaware corporation that contracts with state and municipal governments to provide healthcare to incarcerated persons. Corizon Health, Inc. and its corporate predecessors have been the healthcare provider for the Michigan Department of Corrections since 1998.

5. Defendant Prime Healthcare Services – Port Huron LLC is a for-profit Delaware limited liability company doing business in Michigan under the name “Lake Huron Medical Center.”
6. On or about August 31<sup>st</sup>, 2015, Defendant Prime Healthcare Services – Port Huron LLC purchased the hospital assets located at 2601 Electric Ave., Port Huron, Michigan, from Trinity Health – Michigan Inc., and extended offers of continued employment to all Trinity employees at the 2601 Electric Ave. facility.
7. On information and belief, at the time of its purchase of the aforementioned hospital assets, Defendant Prime Healthcare Services – Port Huron LLC assumed Trinity’s contract with the County of St. Clair to provide medical services to inmates at the St. Clair County Correctional Facility.
8. Defendant Colleen Marie Spencer, F/K/A Colleen Marie Dewan, was, at all times relevant to this Complaint, employed by Defendant Prime Healthcare Services – Port Huron LLC as its Facility Coordinator for the St. Clair County Correctional Facility.
9. Defendant Dr. David A. Kraus, DO is a medical doctor who provided treatment to Plaintiff and other detainees at the St. Clair County Correctional Facility.
10. Plaintiff Kohchise Jackson was a pretrial detainee at the St. Clair County Correctional Facility from on or about May 17<sup>th</sup>, 2016 to March 23<sup>rd</sup>, 2017, and

a prisoner in the custody of the Michigan Department of Corrections from on or about March 23<sup>rd</sup>, 2017 to May 16<sup>th</sup>, 2019.

### **COMMON ALLEGATIONS**

11. In or around July of 2016, while he was a pretrial detainee at the St. Clair County Correctional Facility, Mr. Jackson developed a colovesical fistula. Mr. Jackson was thirty-four years old at the time.
12. A colovesical fistula is a hole in the tissue that separates the large intestine from the bladder.
13. Due to the fistula, bowel contents such as feces and intestinal gas escaped out of Mr. Jackson's large intestine and into his bladder, causing bladder infections, urinary tract infections, high fevers, chills, nausea, vomiting, and extreme pain.
14. From July through December of 2016, Mr. Jackson complained to various staff at the St. Clair County Correctional Facility that he was experiencing high fevers, nausea, vomiting, and severe pain in his groin area. He also reported that he was "farting out my penis" and that feces was coming out in his urine.
15. In response to his requests for medical attention, Mr. Jackson was seen by Defendant Dr. David A. Kraus at the jail at least four times between July and December of 2016.

16. On each examination, he was diagnosed with a urinary tract infection and prescribed an antibiotic, despite the fact that he exhibited symptoms of a fistula such as passing gas and feces through his urethra.
17. The only possible cause of “fecaluria,” the condition of feces passing out of the urethra in the patient’s urine stream, is a fistula.
18. Mr. Jackson was finally transported to an emergency room at a local hospital on or about December 6<sup>th</sup>, 2016. ER staff correctly diagnosed the colovesical fistula, and Dr. Erina Kansakar elected to treat it via Hartmann’s procedure.
19. Hartmann’s procedure is an emergency surgical procedure used in situations involving a pathology in the sigmoid colon or rectum that makes primary anastomosis (cutting out the damaged section of colon and connecting the two ends) unsafe.
20. Treatment using the Hartmann procedure typically consists of two steps. First, the large intestine is cut upstream from the pathology and diverted out through the patient’s skin. Following the first operation, the patient passes gas and feces through the resulting stoma, into a colostomy bag. The pathology in the downstream section of the colon is also addressed in the first operation. After the downstream section of colon has had time to heal, a second operation is performed to reconnect the two sections of colon and close the stoma. After the reversal operation the patient will again pass gas and feces out of their anus.

21. Mr. Jackson underwent the first planned surgery on or about December 10<sup>th</sup>, 2016. His colovesical fistula was closed, a temporary stoma was created on the left side of his abdomen, and the resulting rectal stump was sewn shut. At the time of the initial operation, Mr. Jackson's plan of care included a colostomy reversal operation some time in February 2017. See Ex. A: *Selected Medical Records from Lake Huron Medical Center, 12/12/16*.
22. Dr. Kansakar saw Mr. Jackson for a post-surgical follow-up appointment on or about January 12<sup>th</sup>, 2017. Dr. Kansakar determined that Mr. Jackson was recovering normally from the initial surgery and scheduled his colostomy reversal operation for February 9, 2017. See Ex. B: *Medical Record for January 2017 Appointment with Dr. Erina Kansakar*.
23. However, Mr. Jackson's colostomy reversal surgery did not occur as scheduled on February 9, 2017. Defendant Colleen Marie Spencer "postponed" the surgery for a nonmedical reason, pursuant to an official policy, practice, or custom of her employer, Prime Healthcare Services – Port Huron LLC.
24. Defendant Spencer postponed the surgery because it was not "emergent or life-threatening." See Ex. C: *St. Clair County Jail Inmate Medical Grievances for Kochise Jackson*; Ex. D: *Letter from Kohchise Jackson to Corrections Supervisor, February 21<sup>st</sup>, 2017*.

25. On information and belief, Defendant Spencer postponed Mr. Jackson's surgery in order to pass the cost of the surgery onto the Michigan Department of Corrections ("MDOC") and/or MDOC's inmate healthcare contractors. Defendant Spencer knew that Mr. Jackson would soon be transferred to a state prison, at which point MDOC, rather than St. Clair County and Prime Healthcare Services – Port Huron LLC, would be responsible for his healthcare needs.
26. Mr. Jackson was transferred to MDOC custody on or about March 23<sup>rd</sup>, 2017. Prior to transfer, he was told by medical staff at the St. Clair County Correctional Facility that he would receive the colostomy reversal surgery after he arrived in prison.
27. Per its contract with MDOC, Defendant Corizon Health, Inc. is responsible for inmate healthcare within the Michigan prison system. Defendant Corizon Health, Inc. refused to reverse Mr. Jackson's temporary colostomy on the basis that reversal was not "medically necessary." See Ex. E: *Letter from Office of the Legislative Corrections Ombudsman, November 7<sup>th</sup>, 2017.*
28. Although Mr. Jackson's colostomy was intended to be temporary, it was not reversed at any point during his two-year and two-month stay in the Michigan prison system.

29. Mr. Jackson suffered from pain, incontinence, ostracization and humiliation for the duration of his sentence. Both Defendant Prime Healthcare Services – Port Huron LLC and Defendant Corizon Health, Inc. frequently failed to provide Mr. Jackson with a sufficient supply of colostomy bags and patches, or to provide bags and patches that fit with each other or were the correct size for his stoma. When Mr. Jackson lacked appropriately-sized medical supplies, watery excrement and digestive juices would leak out of the stoma and onto his body, bedding, and clothes. Because a stoma does not contain a sphincter, Mr. Jackson had no ability to control the timing of his bowel movements in order to avoid defecating on himself.

**COUNT I:**  
**DEPRIVATION OF SUBSTANTIVE DUE PROCESS RIGHTS**  
**GUARANTEED BY THE FOURTEENTH AMENDMENT TO THE**  
**UNITED STATES CONSTITUTION**  
**(Defendants Colleen Marie Spencer, John Doe, and Prime Healthcare**  
**Services – Port Huron LLC)**

30. Plaintiff incorporates all previous paragraphs as if fully set forth herein.

31. The substantive component of the Due Process Clause of the Fourteenth Amendment guarantees access to adequate medical treatment for pretrial detainees in state custody. *Richmond v. Huq*, 885 F.3d 928, 937 (6<sup>th</sup> Cir. 2018).

32. In the context of the right to medical treatment, the constitutional protections afforded to pretrial detainees under the Fourteenth Amendment are more



extensive than those afforded to sentenced prisoners under the Eighth Amendment. *See Richmond v. Huq*, 885 F.3d 928, 938 n.3 (6<sup>th</sup> Cir. 2018); *Miranda v. Cty. of Lake*, 900 F.3d 335, 352 (7<sup>th</sup> Cir. 2018); *Gordon v. Cty. of Orange*, 888 F.3d 1118, 1120, 1122-25 (9<sup>th</sup> Cir. 2018); *Love v. Franklin Cty.*, 376 F.Supp.3d 740, 745-46 (E.D. Ky., Mar. 27, 2019).

33. Defendants Colleen Marie Spencer, Dr. David A. Kraus, and Prime Healthcare Services – Port Huron LLC were acting under color of state law when they provided or administered healthcare services for detainees at the St. Clair County Correctional Facility.
34. Plaintiff's need for treatment for his colovesical fistula constituted a serious medical need.
35. Defendant Dr. David A. Kraus ignored telltale signs of a fistula, such as flatulence and feces exiting Plaintiff's penis, from July to December of 2016, repeatedly prescribing antibiotics instead of transferring Plaintiff to a hospital for surgery.
36. Defendant Kraus' repeated failure to provide any treatment other than oral antibiotics, when feces and flatulence were exiting Plaintiff's penis and multiple courses of antibiotics had not resolved his symptoms, was objectively unreasonable and caused Plaintiff to experience unnecessary pain and suffering.

37. Plaintiff was finally transported to a hospital on December 6<sup>th</sup>, 2016. Dr. Erina Kansakar prescribed a plan of treatment for Plaintiff involving an emergency temporary colostomy to be performed on December 10<sup>th</sup>, 2016, and a reversal of the temporary colostomy, closure of the stoma and reconnection Plaintiff's large intestine to his rectal stump, on February 9<sup>th</sup>, 2017.
38. Defendant Colleen Marie Spencer interrupted and failed to implement Plaintiff's prescribed plan of treatment when she "postponed" the February 9<sup>th</sup>, 2017 surgery to reverse Plaintiff's temporary colostomy.
39. At the time that Defendant Spencer interrupted and failed to implement Plaintiff's prescribed plan of treatment, it was "clearly established" for purposes of qualified immunity that interrupting or failing to implement a prisoner's prescribed plan of treatment can constitute a constitutional violation in the Sixth Circuit. *Richmond v. Huq*, 885 F.3d. 928, 948 (6<sup>th</sup> Cir. 2018).
40. Defendant Spencer "postponed" Plaintiff's scheduled colostomy reversal surgery pursuant to an official or unofficial policy of her employer, Defendant Prime Healthcare Services – Port Huron LLC, to postpone surgeries for pretrial detainees at the St. Clair County Correctional Facility if the detainee's condition is not emergent or life-threatening. Defendant Prime Healthcare Services – Port Huron LLC maintains this policy in order to pass the cost of expensive surgical procedures for detainees to MDOC, Medicaid, or other

parties that will bear responsibility for the ex-detainee's medical costs once they are released or transferred from the St. Clair County Correctional Facility.

41. As a result of Defendants Colleen Marie Spencer and Prime Healthcare Services – Port Huron LLC's decision to postpone Plaintiff's surgery in order to pass the cost of the surgery onto others, Plaintiff experienced unnecessary pain, suffering, and humiliation.

**COUNT II:**  
**DEPRIVATION OF RIGHTS GUARANTEED BY THE EIGHTH**  
**AMENDMENT TO THE UNITED STATES CONSTITUTION BY**  
**DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEEDS**  
**(Defendant Corizon Health, Inc.)**

42. Plaintiff incorporates all previous paragraphs as if fully set forth herein.

43. The Eighth Amendment forbids those responsible for the care and custody of state prisoners from acting with deliberate indifference toward an inmate's serious medical needs. *Blackmore v. Kalamazoo County*, 390 F3d 890, 895 (6<sup>th</sup> Cir. 2004).

44. At all times relevant to this Complaint, Defendant Corizon Health, Inc. was responsible for providing healthcare services to Michigan's incarcerated population pursuant to an approximately \$715.7 million, five-year contract with the State of Michigan.

45. Defendant Corizon Health, Inc. acts under color of state law when it undertakes and fulfills its responsibility for the healthcare needs of Michigan prisoners.
46. Pursuant to its contract with the State of Michigan, Defendant Corizon Health, Inc. is paid on a per-prisoner-per-month (PPPM) basis, rather than a fee-for-service basis. This means that the compensation that Defendant Corizon Health, Inc. receives for caring for a given prisoner in a given month is the same, regardless of whether Corizon provides extensive services or no services to that prisoner.
47. Since Defendant Corizon Health, Inc. is a for-profit corporation, and it is paid the same amount per month for each prisoner regardless of the care it provides, Defendant Corizon Health, Inc. has a strong financial incentive to deny medical care to Michigan prisoners whenever possible.
48. A different Michigan prisoner, Keith Swift, sued Defendant Corizon Health, Inc. in September of 2017 for allegedly refusing to reverse his temporary colostomy in order to avoid paying for the reversal surgery. The District Court found that this allegation, if true, would constitute deliberate indifference to a serious medical need in violation of the Eighth Amendment. *Swift v. Eldeman*, 2017 U.S. Dist. LEXIS 182524 at \*2, \*4 (W.D.Mich. 2017).
49. Defendant Corizon Health, Inc. refused to approve a surgery to reverse Mr. Jackson's temporary colostomy, despite the fact that Mr. Jackson's prescribed

plan of treatment included colostomy reversal. Defendant Corizon Health, Inc. made the decision to deny the Plaintiff a colostomy reversal; not the on-site facility doctor. See Ex. E: *Letter from Office of the Legislative Corrections Ombudsman, November 7<sup>th</sup>, 2017.*

50. Defendant Corizon Health, Inc. refused to reverse Plaintiff's colostomy in order to avoid paying for the procedure, so that it could retain a larger portion of the prisoner healthcare payments it received from the State of Michigan as corporate profit.
51. Between April and November of 2017, Mr. Jackson pursued and exhausted his administrative remedies with respect to Defendant Corizon's refusal to approve the surgery. See Ex. F: *Kohchise Jackson Grievances and Official Responses for Three-Step MDOC Inmate Grievance Procedure.*
52. Defendant Corizon's intransigence ultimately resulted in Michigan taxpayers, rather than Corizon, bearing the cost of Plaintiff's surgery. Plaintiff was paroled on May 16<sup>th</sup>, 2019. He successfully enrolled in the Healthy Michigan Plan, Michigan's Medicaid program, within two weeks of his release. He then obtained an appointment for May 31<sup>st</sup>, 2019 at Detroit Medical Center to be evaluated for colostomy reversal surgery. Michigan's taxpayer-funded Medicaid program paid for Mr. Jackson's surgery and lengthy post-surgery hospitalization, which lasted from June 19<sup>th</sup>, 2019 to June 28<sup>th</sup>, 2019.

53. Corizon's decision to leave Plaintiff to defecate uncontrollably into a bag taped to his stomach for over two years, in order to shift the cost of his reversal surgery onto Michigan taxpayers, caused the Plaintiff needless pain, suffering, humiliation, and loss of personal dignity.

WHEREFORE, Plaintiff demands judgment against Defendants, and each of them, in whatever amount he is found to be entitled, plus costs, interest and attorney's fees.

Dated: November 15, 2019

Respectfully submitted,

/s/Laurence H. Margolis  
Laurence H. Margolis (P69635)  
214 S. Main St. Ste. 200  
Ann Arbor, MI 48104  
(734) 994 - 9590  
Attorney for Plaintiff

**JURY DEMAND**

Plaintiff, by and through his attorneys, demands a jury trial in this case.  
Dated: November 15, 2019

/s/Laurence H. Margolis  
Laurence H. Margolis (P69635)  
214 S. Main St. Ste. 200  
Ann Arbor, MI 48104  
(734) 994 - 9590  
Attorneys for Plaintiff

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Exhibit D	Letter from Kohchise Jackson to Corrections Supervisor, February 21st, 2017.
Exhibit E	Letter from Office of the Legislative Corrections Ombudsman, November 7th, 2017.
Exhibit F	Kohchise Jackson Grievances and Official Responses for Three-Step MDOC Inmate Grievance Procedure.

# EXHIBIT

## A

**Selected Medical Records from Lake Huron  
Medical Center, 12/12/16**





Lake Huron Medical Center

LHMI HEALTH  
INFORMATION  
MANAGEMENT  
2601 Electric Avenue  
Port Huron MI 48060-7369

Jackson, Kohchise  
MRN: 102878885, DOB: 2/5/1982, Sex: M  
Adm: 12/6/2016, D/C: 12/14/2016

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**Nursing Note by Bridgette Hamblin, RN at 12/12/2016 4:32 AM (continued)**


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**Progress Notes by Erina Kansakar, MD at 12/12/2016 11:04 AM**


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Author: Erina Kansakar, MD  
Filed: 12/12/2016 11:07 AM

Service: Surgery  
Date of Service: 12/12/2016 11:04 AM

Author Type: Physician  
Status: Signed

Editor: Erina Kansakar, MD (Physician)

S/P Xlap, sigmoid colectomy and end colostomy , small bowel resection with primary anastomosis for complicated sigmoid diverticulitis with colovesical fistula POD#2

Pain is fairly controlled. On PCA.  
Ostomy edematous- minimal output. Noticed air in the bag  
NG fell out overnight  
Foley - mild hematuria  
On protonix, zofran and IV abx  
Post op leucocytosis- reactive, improving  
Decrease in Hb- Dilutional, not secondary to blood loss

Vital signs stable, afebrile  
Incision- Serosanguinous drainage in the lower part of the incision. Penrose intact

A/P:

Physical therapy consult  
Ostomy nurse consult  
Foley catheter - to stay at discharge. Plan for retrograde cystogram in 4 weeks . If negative for leak, remove foley as outpatient  
CBC, CMP in am  
Incentive spirometry  
Abdominal binder  
Ice chips and popsicles today  
Case Management Consult: Discharge planning in 24 hrs with indwelling foley catheter for 4 weeks. Needs retrograde cystogram in 4 weeks . If negative for bladder leak, discontinue Foley . Needs ostomy supplies.  
Colostomy reversal in Feb 2017.<sup>[EK.1]</sup>

Electronically signed by Erina Kansakar, MD at 12/12/2016 11:07 AM  
Attribution Key

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EK.1 - Erina Kansakar, MD on 12/12/2016 11:04 AM

**Physical Therapy by Sharon Kemp-McLaren, PT at 12/12/2016 11:25 AM**


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Author: Sharon Kemp-McLaren, PT  
Filed: 12/12/2016 11:25 AM

Service: —  
Date of Service: 12/12/2016 11:25 AM

Author Type: Physical Therapist  
Status: Signed

Editor: Sharon Kemp-McLaren, PT (Physical Therapist)

Physical therapy evaluation not completed. Patient refused, secondary to abdomen pain.  
Will attempt later.<sup>[SK.1]</sup>

Electronically signed by Sharon Kemp-McLaren, PT at 12/12/2016 11:25 AM



Lake Huron Medical Center

LHMI HEALTH  
INFORMATION  
MANAGEMENT  
2601 Electric Avenue  
Port Huron MI 48060-7369

Jackson, Kohchise  
MRN: 102878885, DOB: 2/5/1982, Sex: M  
Adm: 12/6/2016, D/C: 12/14/2016

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**Physical Therapy by Sharon Kemp-McLaren, PT at 12/12/2016 11:25 AM (continued)**


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Attribution Key

SK.1 - Sharon Kemp-McLaren, PT on 12/12/2016 11:25 AM

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**Nutrition by Patricia F. Ripari, RD at 12/12/2016 12:18 PM**


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Author: Patricia F. Ripari, RD

Service: —

Author Type: Registered Dietitian

Filed: 12/12/2016 12:21 PM

Date of Service: 12/12/2016 12:18  
PM

Status: Signed

Editor: Patricia F. Ripari, RD (Registered Dietitian)

12/12/16

Nutrition Eval LOS

34 yom admit w/ Colitis, Crohn's dx w/ fistula, UTI

S/P sigmoid diverticulitis w/ colovesical fistula- colectomy w/ colostomy- Reversal slated for Feb 2017

PMH; arthritis, colitis- patient currently @ SCC jail

Labs : albumin 2.9TP 6.3- mild depletion visceral protein status

Height 5'11"

Weight 93.9kg

BMI 28.87 -wnl

Diet NPO

Diet education for Ostomy when on oral diet

Recommend Low Fiber diet plan on solids

Monitor diet progression

Pat Ripari RD<sup>[PR.1]</sup>

Electronically signed by Patricia F. Ripari, RD at 12/12/2016 12:21 PM

Attribution Key

PR.1 - Patricia F. Ripari, RD on 12/12/2016 12:18 PM

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**Nursing Note by Marilyn K. Moncrief at 12/12/2016 12:29 PM**


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Author: Marilyn K. Moncrief

Service: —

Author Type: —

Filed: 12/12/2016 12:29 PM

Date of Service: 12/12/2016 12:29  
PM

Status: Signed

Editor: Marilyn K. Moncrief

Attempted visit to Kohchise. He is resting with eyes closed. Officer is present. Prayers initiated.<sup>[MM.1]</sup>

Electronically signed by Marilyn K. Moncrief at 12/12/2016 12:29 PM

Attribution Key

MM.1 - Marilyn K. Moncrief on 12/12/2016 12:29 PM

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**Wound Care by Karen A. Merritt, RN at 12/12/2016 12:59 PM**


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Generated on 11/7/19 10:33 PM



Lake Huron Medical Center

LHMI HEALTH  
INFORMATION  
MANAGEMENT  
2601 Electric Avenue  
Port Huron MI 48060-7369

Jackson, Kohchise  
MRN: 102878885, DOB: 2/5/1982, Sex: M  
Adm: 12/6/2016, D/C: 12/14/2016

**Progress Notes by Erina Kansakar, MD at 12/13/2016 8:46 PM**

Author: Erina Kansakar, MD  
Filed: 12/13/2016 8:49 PM

Service: Surgery  
Date of Service: 12/13/2016 8:46 PM

Author Type: Physician  
Status: Signed

Editor: Erina Kansakar, MD (Physician)

S/P Xlap, sigmoid colectomy and end colostomy , small bowel resection with primary anastomosis for complicated sigmoid diverticulitis with colovesical fistula POD#3

Pain is fairly controlled. On Dilaudid IV prn  
Ostomy has good stool output.  
Foley -clear, no hematuria  
On protonix, zofran and IV abx  
Post op leucocytosis- reactive, improving  
Decrease in Hb- Dilutional, not secondary to blood loss

Vital signs stable, afebrile  
Incision- Serosanguinous drainage in the lower part of the incision. Penrose intact

A/P:

Physical therapy consult

Ostomy nurse consult

Foley catheter to stay at discharge. Plan for retrograde cystogram in 4 weeks . If negative for leak, remove foley as outpatient

Incentive spirometry

Regular diet

Case Management Consult: Discharge planning in 24 hrs with indwelling foley catheter for 4 weeks. Needs retrograde cystogram in 4 weeks . If negative for bladder leak, discontinue Foley . Needs ostomy supplies.

Colostomy reversal in Feb 2017.

OK to discharge from general surgery standpoint.

Remove penrose drain at discharge

Remove staples in 10 days<sup>[EK.1]</sup>

Electronically signed by Erina Kansakar, MD at 12/13/2016 8:49 PM  
Attribution Key

EK.1 - Erina Kansakar, MD on 12/13/2016 8:46 PM

**Progress Notes signed by Thomas A Coury, MD at 12/24/2016 10:37 AM**

Author: Thomas A Coury, MD  
Filed: 12/24/2016 10:37 AM

Service: Surgery  
Date of Service: 12/14/2016 3:00 AM

Author Type: Physician  
Status: Signed

Editor: Thomas A Coury, MD (Physician)

DATE: 12/14/2016

The patient who comes from the St. Clair County Jail developed a colovesical fistula. He was seen by my partners in consultation for this. The cause of the fistula is diverticulitis. A colostomy was performed. He has an indwelling catheter. The medical staff is wondering whether he should have a cystoscopy in 4 weeks. I think more appropriately will be



Lake Huron Medical Center

LHMI HEALTH  
INFORMATION  
MANAGEMENT  
2601 Electric Avenue  
Port Huron MI 48060-7369

Jackson, Kohchise  
MRN: 102878885, DOB: 2/5/1982, Sex: M  
Adm: 12/6/2016, D/C: 12/14/2016

**Order (continued)**

Ordering user: Erina Kansakar, MD 12/12/16 1057      Ordering provider: Erina Kansakar, MD  
Authorized by: Erina Kansakar, MD  
Cosigning events  
Electronically cosigned by Vamsi K Rao, MD 12/14/16 1307 for Discontinuing  
Frequency: Effective Now 12/12/16 1057 - Until      Diet: General  
Specified  
Discontinued by: Salina Thomas, FNP 12/13/16 1318  
Questionnaire

Question	Answer
Main Diet	NPO
NPO	NPO except Ice Chips

Order comments: Please give chewing gums . Please give ice chips and popsicles

Nursing Communication Attach foley to leg bag [36910358]

Result status: No result

Ordering provider: Erina Kansakar, MD 12/12/16 1058

**Order**

Nursing Communication Attach foley to leg bag [36910357]

Electronically signed by: **Erina Kansakar, MD on 12/12/16 1058**      Status: **Discontinued**  
Ordering user: Erina Kansakar, MD 12/12/16 1058      Ordering provider: Erina Kansakar, MD  
Authorized by: Erina Kansakar, MD  
Frequency: Until Discontinued 12/12/16 1059 - Until      Discontinued by: Automatic Discharge Provider  
Specified      12/14/16 2121 [Patient Discharge]  
Order comments: Attach foley to leg bag

Inpatient Consult To Case Management [36910362]

Result status: No result

Ordering provider: Erina Kansakar, MD 12/12/16 1107

**Order**

Inpatient Consult To Case Management [36910361]

Electronically signed by: **Erina Kansakar, MD on 12/12/16 1107**      Status: **Discontinued**  
Ordering user: Erina Kansakar, MD 12/12/16 1107      Ordering provider: Erina Kansakar, MD  
Authorized by: Erina Kansakar, MD  
Frequency: Once 12/12/16 1102 - 1 occurrence      Discontinued by: Automatic Discharge Provider  
12/14/16 2121 [Patient Discharge]

Questionnaire

Question	Answer
Reason for Consult?	discharge planning with indwelling foley catheter for 4 weeks. Needs retrograde cystogram in 4 weeks . If negative for bladder leak, discontinue Foley . Needs ostomy supplies. Colostomy reversl in Feb2017.

Case request operating room: Trial order. please ignore [36910364]

Result status: No result

Ordering provider: Erina Kansakar, MD 12/12/16 1239

**Order**

Case request operating room: Trial order. please ignore [36910363]

Electronically signed by: **Erina Kansakar, MD on 12/12/16 1239**

Status: **Completed**

Generated on 11/7/19 10:33 PM

# EXHIBIT

## B

**Medical Record for January 2017  
Appointment with Dr. Erina Kansakar**

Physician HealthCare Network PC • 1221 Richardson St, PORT HURON MI 48060-7500

**JACKSON, KOHCHISE (id #350648, dob: 02/05/1982)**

**Discussed the following documents:**

- XR, URETHROCYSTOGRAM, VOIDING - 12/29/16

Screening

None recorded.

HPI

S/P Hartman procedure for colovesical fistula secondary to complicated sigmoid diverticulitis. Ostomy pink and productive. Some drainage noted from the mid incision - clear. Staples discontinued. Pain is well controlled. Cystogram is normal. Foley removed. No new complaints

ROS

None recorded.

Physical Exam

Patient is a 34-year-old male.

**Constitutional:** General Appearance: healthy-appearing, well-nourished, and well-developed. Level of Distress: NAD. Ambulation: ambulating normally.

**Psychiatric:** Insight: good judgement. Mental Status: normal mood and affect and active and alert. Orientation: to time, place, and person. Memory: recent memory normal and remote memory normal.

**Head:** Head: normocephalic and atraumatic.

**Eyes:** Lids and Conjunctivae: no discharge or pallor and non-injected. Pupils: PERRLA. EOM: EOMI. Sclerae: non-icteric.

**ENMT:** Hearing: no hearing loss and Rinne AC>BC. Oropharynx: moist mucous membranes.

**Lungs:** Respiratory effort: no dyspnea. Percussion: no dullness, flatness, or hyperresonance. Auscultation: no wheezing, rales/crackles, or rhonchi and breath sounds normal, good air movement, and CTA except as noted.

**Cardiovascular:** Heart Auscultation: normal S1 and S2 and RRR.

**Abdomen:** Bowel Sounds: normal. Inspection and Palpation: no tenderness, guarding, masses, rebound tenderness, or CVA tenderness and soft and non-distended. Liver: non-tender and no hepatomegaly. Spleen: non-tender and no splenomegaly. Hernia: none palpable; **Ostomy pink and productive.**

**Musculoskeletal:** Motor Strength and Tone: normal and normal tone. Joints, Bones, and Muscles: normal movement of all extremities. Extremities: no cyanosis or edema.

**Neurologic:** Gait and Station: normal gait and station. Cranial Nerves: grossly intact.

**Skin:** Inspection and palpation: no rash or lesions.

Assessment / Plan

1. Regular diet
2. Barium enema vis distal rectal stump - Results needed prior to surgery date.
4. Colostomy reversal on Feb 9, 2017 with intraop flex sigmoidoscopy
5. Enhanced recovery pathway
6. Instructions and material given.

**1. Vesicocolic fistula**

N32.1: Vesicointestinal fistula

- XR, COLON, W/ CONTRAST

**2. Intestinovesical fistula**

N32.1: Vesicointestinal fistula

- CLOSURE OF ENTEROSTOMY, WITH RESECTION AND COLORECTAL ANASTOMOSIS

Special Instructions: Open colostomy reversal with intraop flex sigmoidoscopy

Return to Office

- Erina Kansakar MD for Procedure 120 at Lake Huron Medical Center OP on 02/09/2017 at 07:30 AM

Encounter Sign-Off



Physician HealthCare Network PC • 1221 Richardson St. PORT HURON MI 48060-3500

---

**JACKSON, KOHCHISE (id #350648, dob: 02/05/1982)**

Encounter signed-off by Erina Kansakar MD, 01/12/2017.

Encounter performed and documented by Erina Kansakar MD

Encounter reviewed & signed by Erina Kansakar MD on 01/12/2017 at 3:03pm

# EXHIBIT



## C

### **St. Clair County Jail Inmate Medical Grievances for Kochise Jackson**



# Grievances/Requests

## Search & Filter

- 
- Date (Range) by Submitted ▼
- 
- from 10/10/2015 00:00 
- 
- to 10/10/2019 23:59 
- Disposition Any ▼
- Inmate Name
- Booking # Enter a full booking number, or just the last 2 or 3 digits of a booking number.
- Grievance ID #
- ID # 003212880
- Any  
US
- Nationality
- Last 2 or 3 digits of Booking # (Range)  
from   
to
- Worked on by Any ▼
- Keyword(s)

Search

[Reset Search](#)

Page 1 of 1 Displaying 0 - 0 of 0 Documents

Bulk Actions:

[Submissions Report](#)

[Print](#)

[Print Without Notes](#)

[Respond](#)

[Export](#)

Any ▼

▼

Any ▼

Any

0 Status(es)

☐ New

☐ Open

☐ Pending

☐ Closed

[Clear](#)

[All](#)

[OK](#)

**Request #002756499****Profile Photo:****Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 08/22/16 14:27  
**Submitted from Location/Room:** E|OD|11|E Pod  
**Current Location/Room:** |||/-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Medical Staff

**Summary of Request:**

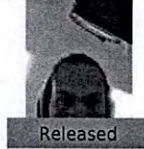
See doctor

**Details of Request:****Nature of Illness: :**

*be specific*

I have a uti and I was taking bacterium for 5 days and still having symptoms I can't afford to pay again can I continue my meds without paying again

DATE/TIME	USER	ACTION	DETAILS
09/07/16 00:18	Medical Staff	Changed Status	From Open to Closed
09/07/16 00:18	Medical Staff	Internal Note	Repeat UA done on 9/6/2016. Currently awaiting results. -KG LPN
08/22/16 14:27	Kohchise Jackson	Submitted New	See doctor

**Request #002799512****Profile Photo:****Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 09/01/16 12:29  
**Submitted from Location/Room:** E|OD|11|E Pod  
**Current Location/Room:** |||/-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Medical Staff

**Summary of Request:**

See doctor

**Details of Request:****Nature of Illness: :**

*be specific*

I was tasted I have a uti I was given bacteria for 5 days I took the last pill August 18 I am still having symptoms burning when pee whit stuff in pee not a full streams of pee

DATE/TIME	USER	ACTION	DETAILS
09/07/16 00:34	Medical Staff	Changed Status	From Open to Closed
09/07/16 00:34	Medical Staff	Internal Note	UA has been collected. Currently awaiting results. -KG LPN
09/01/16 12:30	Kohchise Jackson	Submitted New	See doctor



**Request #002910001****Profile Photo:****Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 09/26/16 16:44  
**Submitted from Location/Room:** E|OD|09|E Pod  
**Current Location/Room:** |||/-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Medical Staff

**Summary of Request:**

Need to c doctor

**Details of Request:**

**Nature of Illness: :**  
*be specific*  
 Have a uti that keep coming back

DATE/TIME	USER	ACTION	DETAILS
09/27/16 00:13	Medical Staff	Changed Status	From 'Open' to 'Closed'
09/27/16 00:13	Medical Staff	Internal Note	Will be placed on the Dr call SM
09/26/16 16:44	Kohchise Jackson	Submitted New	Need to c doctor

**Request #002978864****Profile Photo:**

Released

**Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 10/10/16 17:04  
**Submitted from Location/Room:** E|OD|09|E Pod  
**Current Location/Room:** III/-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Medical Staff

**Summary of Request:**

Need to c Doctor

**Details of Request:****Nature of Illness: :**

*be specific*

I have been treated 3 times for a uti I still have it

DATE/TIME	USER	ACTION	DETAILS
10/13/16 08:04	Medical Staff	Changed Status	From 'Open' to 'Closed'
10/13/16 08:04	Medical Staff	Internal Note	Placed on Dr call SM
10/10/16 17:04	Kohchise Jackson	Submitted New	Need to c Doctor

**Request #003064639****Profile Photo:****Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 10/27/16 13:24  
**Submitted from Location/Room:** E|OD|09|E Pod  
**Current Location/Room:** ||/-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Medical Staff

**Summary of Request:**

See nurse

**Details of Request:**

**Nature of Illness: :**  
*be specific*  
 Still have uti

DATE/TIME	USER	ACTION	DETAILS
11/11/16 06:58	Medical Staff	Changed Status	From 'Open' to 'Closed'
11/11/16 06:58	Medical Staff	Internal Note	Inmate has not addressed the question. Colleen M. Dewan, RN
10/27/16 19:19	Medical Staff	Internal Note	Waiting IM's reply/CMc
10/27/16 19:19	Medical Staff	Staff Response	Please tell us what symptoms you are experiencing? Thank you, Medical
10/27/16 13:24	Kohchise Jackson	Submitted New	See nurse



**Request #002722280****Profile Photo:****Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 08/13/16 11:43  
**Submitted from Location/Room:** E|OD|11|E Pod  
**Current Location/Room:** |||/-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Medical Staff

**Summary of Request:**

See doctor

**Details of Request:****Nature of Illness: :**

*be specific*

I had to pee for the doctor on Tuesday and he said I will have meds by the next day none came and I'm still having the same problem

DATE/TIME	USER	ACTION	DETAILS
08/13/16 12:51	Medical Staff	Changed Status	From Open to Closed
08/13/16 12:51	Medical Staff	Internal Note	M Smith LPN
08/13/16 12:51	Medical Staff	Staff Response	In regards to your kite, the Dr. didn't order any medications pending the results of your urine test, Your results were negative for any STDs so he did not order any meds. Stay hydrated by drinking more water and see if that helps. Your urine wasn't abnormal. If your symptoms worsen you can re kite medical. Medical
08/13/16 11:43	Kohchise Jackson	Submitted New	See doctor

**Request #002705336****Profile Photo:**

Released

**Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 08/08/16 22:08  
**Submitted from Location/Room:** E|OD|11|E Pod  
**Current Location/Room:** |||/-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Medical Staff

**Summary of Request:**

I would like to see the doctor

**Details of Request:****Nature of Illness: :**

*be specific*

I have been having pain in groin area my urine will not stay straight and I have had uti in the past that reoccur and have been diagnosed with prosistous

DATE/TIME	USER	ACTION	DETAILS
08/08/16 22:50	Medical Staff	Staff Response	You will be placed on the next available Dr. call. -Medical
08/08/16 22:50	Medical Staff	Changed Status	From Open to Closed
08/08/16 22:08	Kohchise Jackson	Submitted New	I would like to see the doctor



**Request #003538482****Profile Photo:****Inmate Info**

**Name:** Kohchise Jackson  
**Booking Number:** 156293  
**Submitted Date:** 01/31/17 13:35  
**Submitted from Location/Room:** E|OB|01|E Pod  
**Current Location/Room:** |||-  
**Facility:** St Clair MI

**Audit Photo:****Form Info**

**Category:** Medical  
**Form:** Medical Kite

**Request Info**

**Status:** CLOSED by Nurse Colleen

**Summary of Request:**

Surgery is being postponed

**Details of Request:****Nature of Illness: :**

*be specific*

My surgery is being postponed and my surgeon told me she is waiting on some one to get in touch with her and let her know who is paying so she can continue

DATE/TIME	USER	ACTION	DETAILS
02/01/17 10:31	Nurse Colleen	Changed Status	From 'Open' to 'Closed'
02/01/17 10:31	Nurse Colleen	Staff Response	The surgery remains postponed at this time. The surgeon's office is fully aware of how and who to bill. Thank you.
02/01/17 10:31	Nurse Colleen	Internal Note	The Inmate's surgery is postponed at this time due to the fact that it is not emergent or life threatening. The surgeon's office is fully aware of how to bill.
02/01/17 10:29	Nurse Colleen	Changed Status	From 'Closed' to 'Open'
01/31/17 18:19	Nurse Cari	Changed Status	From 'Open' to 'Closed'
01/31/17 18:19	Nurse Cari	Internal Note	Will leave for Colleen/Closed/CMc
01/31/17 18:18	Nurse Cari	Staff Response	We are looking into this and we appreciate your patience. Thank you, Medical
01/31/17 13:35	Kohchise Jackson	Submitted New	Surgery is being postponed

# EXHIBIT

# D

**Letter from Kohchise Jackson to Corrections  
Supervisor, February 21st, 2017**

2-21-17

E pod - D Lower Unit

Dear Capton,

I'm Katherine Marcelle-Cingello Jackson

I had a big surgery on 10-10-16 while here at St Clair County Jail. I was placed with a temporary bowel bag. My Surgeon DR. Kansicker told me that she is ready to do the reverse surgery but she could not get a hold of the Medical Staff here about the billing. The Doctor told me she is all ready to go and she would write off her part of the billing and do the surgery for free. That is how much she think it should be done. The doctor also told me that she don't think that I should have to walk around with a bag at this age. Well the head Nurse Colleen has a personal problem with me and has cancel my Surgeon. The doctor gave me prep stuff and was all ready to go but Nurse Colleen cancel my Surgery.

# EXHIBIT

## E

**Letter from Office of the Legislative  
Corrections Ombudsman,  
November 7th, 2017**





**Office of Legislative  
Corrections Ombudsman**

Keith Barber  
Ombudsman

*Boji Tower – 4th Floor  
124 West Allegan  
P.O. Box 30036  
Lansing, MI 48909  
(Office) 517-373-8573  
(Fax) (517)373-5550*

November 7, 2017

Mr. Kohchise Jackson  
#445579  
JCS  
3100 Cooper St  
Jackson, MI 49201

RE: Colostomy

Dear Mr. Jackson:

Thank you for submitting your complaint to our office regarding your desire for a colostomy bag reversal.

We have reviewed the relevant information regarding your condition. According to your medical record, medical staff at JCS have determined that there is no medical necessity for the colostomy reversal surgery. In addition, MDOC Policy Directive 03.04.100 Section AA and BB state, "Corrective surgery is a surgical procedure to alter or adjust body parts or the body structure. Reconstructive surgery is a surgical procedure to reform body structure or correct defects. For purposes of this policy, corrective and reconstructive surgery does not include procedures which can be done under local anesthesia. Corrective and reconstructive surgery shall be authorized for a prisoner only if determined medically necessary and only if approved by the CMO. It shall not be approved if the sole purpose is to improve appearance."

I understand you are frustrated, but please know it is often not the on-site facility doctor who is making these decisions; it is frequently made by Corizon (health care vendor). At this time, please be sure to document all of your symptoms, and inform health care staff if you experience any signs of infection. According to the American Cancer Society, some possible signs of infection may include: cramps lasting more than 2 or 3 hours, continuous nausea and vomiting, no ostomy output for 4 to 6 hours with cramping and nausea, severe watery discharge lasting more than 5 or 6 hours, bad odor lasting more than a week (this may be a sign of infection.), a cut in the stoma, injury to the stoma, bad skin irritation or deep sores (ulcers), a lot of bleeding from the stoma opening (or a moderate amount in the pouch that you notice several times when emptying it), continuous bleeding where the stoma meets the skin, unusual change in your stoma size or color, and/or anything unusual going on with your ostomy.

The Legislative Corrections Ombudsman is not qualified to make medical decisions. Because we are not medical professionals, we cannot give you a recommendation for treatment but we are aware of concerns pertaining to colostomy reversals and we are continually monitoring this issue. However, we do review your medical file to determine if you are being seen by health care at your facility and compare the treatment you are receiving to community standards. Given all of the information available, it appears that you are receiving appropriate medical supplies to maintain your colostomy.

It is our advice that you patiently follow the instructions of health care and work cooperatively with them in order to maintain your health. It is also often helpful for you to keep a log of your contacts with health care including the dates, a brief description of the reason for your contact, how you contacted them, and a summary of their response. We have kept copies of the documents you sent to our office in case we need to reference them in the future. We are sorry our response could not be more favorable at this time.

Sincerely,

Whitney Tompkins  
Analyst Assistant

# EXHIBIT

## F

### **Kohchise Jackson Grievances and Official Responses for Three-Step MDOC Inmate Grievance Procedure**



## Step II Grievance Appeal Response

Grievance Number: JCS 2017 05 0352 12D
Prisoner Name: Jackson, Kohchise
Prisoner Number: 445579

I have reviewed your Step I Grievance, the Step I Response, and your Step II Reason for Appeal.

<b>SUMMARY OF STEP I COMPLAINT:</b> Complains that he is being denied necessary medical/surgical procedure to reverse colostomy. Date of incident 4/26/17.	
<b>SUMMARY OF STEP I RESPONSE:</b> Electronic Health Record (EHR) was reviewed. The Grievant complains that he requires a surgical procedure to reverse a colostomy. He reports that he was scheduled for the procedure while being house in the St. Clair County Jail prior to being transferred to MDOC and states, "I was told that my surgery had been cancelled because I was transferring and once I transferred that MDOC would take over and do all the paperwork for me to have the surgery." The Grievant arrived at RGC on 3/23/17. On 3/24/17 he was seen by the facility Medical Provider (MP) at RGC for intake. It is documented by the MP that the colostomy was in good status and that the Grievant, "able to complete self-care. Has a greater degree of body image issue than other concerns." On 3/29/17 a ROBERTA-R was completed on the Grievant by healthcare because the Grievant was displaying mild anxiety. It is documented in the ROBERTA-R by the facility MP, "No urgent medical issues were reported from the surgeons office and the colostomy is functional. It is not likely that the colostomy will be reversed in the MDOC." On 4/3/17 the Grievant was seen by Mental Health (MH) provider. It is documented by the MH provider, "He signs a consent for me to contact the proper recipient rights person on his behalf and his given a copy of it." On 4/7/17 the Grievant was seen by the MP at RGC for medical clearance. It is documented, "Continues to verbalize that ostomy was to be temporary and reversed. No medical necessity per outside documentation or from conversation w/surgeons office (Dr. Kansakar)." The Grievant received radiologic studies on 4/7/17, which showed no issues with the colostomy. On 4/12/17 the Grievant arrived at JCS and was referred to the MP by the nurse for questions regarding his colostomy. The Grievant was seen by the JCS facility MP on 4/18/17, and a request was submitted and refused/deferred for surgical consult for colostomy reversal, with indication from Lansing that is documented, "Medical necessity not demonstrated at this time. Continue to follow in on site clinic by MP." On 4/26/17 the Grievant was seen by the JCS MP to inform him of the denial of the surgical consult for colostomy reversal. It is documented that the Grievant, "Became so upset when told about the not approval consult request stating that he's planning to file a law suit." During the grievance the Grievant states, "I was approved for the surgery in January and was scheduled to have the operation on February 9 <sup>th</sup> . I just feel like I have been lied too." This writer also discussed with Grievant that he has the option to pay for outside medical services according to policy if he is not satisfied with the healthcare that he is receiving, but he would assume all costs incurred. Encouraged to utilize the health care request (HCR) forms to address current healthcare issues and concerns. The Grievant has been seen on multiple occasions for his complaint. A referral for surgical consultation regarding colostomy reversal was submitted and denied based on no medical necessity documented. According to PD 03.04.100, Health Services, paragraph O, AA, and HH-MM, the Grievant has received the appropriate referrals and may request outside medical services which he would assume all costs incurred. Grievance denied. Date of response 5/15/17.	
<b>SUMMARY OF STEP II REASON FOR APPEAL:</b> Grievant alleges constitutional rights of prisoners chapter 4. The 8 <sup>th</sup> Amendment medical care. Necessary treatment. Clearly states, that inmates in need of medical must be provided with access to opportunities available to free world person to obtain medical care and cures. Denial is a deliberate indifference, PD 03.03.130 Humane Treatment and Conditions for Prisoner. Refusal to treat my medical concerns is actionable under the 42 USCA 1983 Act. Date of incident 4/26/17.	
<b>SUMMARY OF STEP II INVESTIGATION:</b> Upon investigation of the Step II appeal; the Step I response, reason for appeal, the Electronic Health Record (EHR), and policies were all reviewed, including any additional information needed was obtained as necessary to complete the response. The Michigan Department of Corrections (MDOC) doesn't reverse colostomies unless it is medically necessary, the surgery you are requesting is non-essential. Currently documentation reflects the colostomy is functional. While the Department is responsible for providing prisoners with necessary health services, prisoners may seek non-essential health services from outside providers at no cost or liability to the Department. Grievant is to follow <b>OP 04.06.135 Prisoners Requesting Outside Health Services At Own Expense</b> ; submit HCR to HUM after obtaining information from the outside provider, including provider contact information and estimate of medical cost, for approval for outside health care at prisoner's own expense, which includes medical, transportation and custody costs. Prisoner must have adequate funds in his account to cover the cost of the health services, as well as funds to cover transportation and custody costs. If prisoner has outside insurance that will cover the cost of the medical procedure, prisoner must obtain written verification of coverage. Please review <b>OP 04.06.135</b> and <b>PD 03.04.100 Health Services</b> ; Outside Health Services at Prisoner's Expense. Grievant's allegations are not substantiated by the evidence. Review of the evidence supports that Grievant's medical needs are being addressed. Grievant is encouraged to access health care through the kite process to address any current health care concerns.	
<b>CONCLUSION: Evidence</b> <ul style="list-style-type: none"> <li>• PD 03.02.130, Prisoner Grievances</li> <li>• Policy 03.04.100 Health Services</li> <li>• OP 04.06.135 Prisoners Requesting Outside Health Services At Own Expense</li> </ul> <b>Grievance Denied:</b> Review of the evidence supports that Grievant's medical needs are being addressed. Mr. Jackson, per documentation, you are doing fine with current condition, the reversal is a major surgery with potential complications up to death and the Department will not ok a dangerous unnecessary elective procedure, a reversal for a functional colostomy is considered non-essential. <b>POLICY IS NO REVERSALS UNLESS there is a MEDICAL REASON.</b> Grievant can seek outside Services at his Own Expense, by following policy/procedures.	
<b>RESPONDENT NAME:</b> Subrina Aiken, RN	<b>TITLE:</b> Clinical Administrative Assistant Jackson Health Care Office Administration
<b>RESPONDENT SIGNATURE:</b> <i>Subrina Aiken, RN</i>	<b>DATE:</b> 6/8/17



### Step III Grievance Response

Kohchise Jackson

445579

JCS 17050352

C-45

Grievant alleges he has been denied surgery to reverse his colostomy.

All relevant information within the electronic medical record has been reviewed. Step I and Step II appropriately addressed this grievance and are affirmed at the Step III appeal. Grievant will continue to be monitored and treatment will be determined by a qualified Medical Provider. A disagreement with the plan of care does not support a denial of care or inadequate medical treatment.

Grievant appeal denied.

Response of Bureau of Health Care Services

Date: 10/13/2017

Approved: R. Harbaugh RN2  
R. Harbaugh, RN

Date: 10/19/17

Richard D. Russell  
Richard D. Russell Manager, Grievance Section Office of Legal Affairs

OCT 25 2017

Date Mailed

Ref. # 26712

C: Warden - JCS

Regional Health Care Administrator  
Grievant

Southern