

## Prison Nursing: Court Sees No Deliberate Indifference.

A prison inmate was seen by the prison's nurse practitioner for complaints of migraine headaches.

The nurse practitioner prescribed Inderal which was then administered by a prison staff nurse.

The patient was promptly seen by a physician in the prison clinic four days after seeing the nurse practitioner, for what the physician determined was an adverse reaction to the Inderal.

The physician discontinued the Inderal. He decided it was inappropriate in the first place due to the patient's pre-existing history of asthma and diabetes.

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***It is undisputed that the patient received prompt and appropriate treatment for his adverse reaction to the Inderal.***

UNITED STATES DISTRICT COURT  
KANSAS  
January 19, 2011

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The US District Court for the District of Kansas ruled that the nurse practitioner and the prison staff nurse did not violate the prisoner's Constitutional rights. There was no deliberate indifference to his serious medical needs.

The Court conceded that the nurse practitioner could conceivably be liable to the patient for malpractice for prescribing a medication which can cause complications for patients with his medical history and for prescribing the medication without first consulting with a physician.

However, the nurse practitioner and the prison staff nurse were at all times making a good faith effort to deal with their patient's problems and promptly responded when it appeared that their treatment was not effective. It could hardly be said they were subjecting him to form of cruel and unusual punishment by intentionally causing him to suffer needlessly. ***Atkins v. Rhonda***, 2011 WL 167033 (D. Kan., January 19, 2011).