

Man Died After Allegedly Being Denied HIV Meds in California Jail

Lawsuit claims that health care providers denied the incarcerated man critical HIV meds for two months, leading to his death in hospice.

January 25, 2024 By Laura Schmidt

A California inmate with [HIV](#) died after allegedly being denied [antiretroviral medication](#) prescribed by his doctors and then contracting a preventable viral infection. The man's family [filed a wrongful death lawsuit](#) against the jail and its health care contractor, claiming they failed to provide the man's lifesaving treatment.

In February 2022, Nicholas Overfield, 38, was arrested for failing to appear in court. During his arrest, he informed officers of his HIV-positive status and need for antiretroviral medication to maintain his health. Overfield's mother, Lesley Overfield, a plaintiff in the [lawsuit](#), reportedly gave her son's prescribed antiretrovirals to officers who took the meds with them, [CBS News](#) reports.

Just two months later, Lesley visited her son in jail to find his health had rapidly declined to the extent that he was too weak to walk and had to use a wheelchair. The next day, Overfield was rushed to the hospital and transferred to hospice care soon thereafter.

"Medical records show that he was denied his prescribed HIV medication for the entire two months he was detained," the [lawsuit alleges](#).

Overfield died on June 21, 2022. According to the lawsuit, his death certificate stated that the immediate cause of death was encephalitis varicella zoster virus. Varicella zoster virus generally shows up as a painful rash known as shingles, but it can infect and damage the central nervous system and cause encephalitis, an inflammation of the brain. Overfield allegedly contracted the virus two months prior to his death—meaning while he was incarcerated, according to court documents.

The lawsuit filed on January 16 in U.S. District Court names the County of El Dorado and Wellpath Community Care, the jail's health care contractor.

"Wellpath has a well-documented history of providing shockingly inadequate medical 'care' in jails and prisons across the country," the lawsuit states.

“In California alone there are several other documented incidents of Wellpath failing to provide HIV-positive individuals with their prescribed medication while in jail,” Ty Clarke, one of the attorneys representing the plaintiffs, told [Law&Crime](#). “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 alleges “negligence, breach of duty, negligent supervision, management or control, violation of public policy and failure to provide constitutionally adequate medical care.”

“Defendants were either unaware of or, worse, ignoring the severity of Nick’s general health and medical condition until they were forced to confront those things by his mother,” the lawsuit continues. “This is a shocking failure to provide even the bare minimum of medical care to a pre-trial detainee who was HIV positive.”

To read more, click [#Lawsuit](#). There, you’ll find headlines such as “[Woman With HIV Sues Arizona Rehab Center for Wrongful Eviction](#),” “[Lawsuit Challenges Tennessee Law Targeting People Living With HIV](#)” and “[Transgender Woman With HIV Sues for 6-Year Solitary Confinement Hold](#).”