

1 **JOINT RESOLUTION APPROVING UTAH DEPARTMENT OF**
2 **CORRECTIONS SETTLEMENT AGREEMENT**

3 2020 FIFTH SPECIAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: V. Lowry Snow**

6 Senate Sponsor: Todd Weiler

8 **LONG TITLE**

9 **General Description:**

10 This joint resolution of the Legislature approves the negotiated settlement agreement
11 for Ronald May et al. v. Utah Department of Corrections regarding Chronic Hepatitis C
12 treatment for Utah Department of Corrections inmates.

13 **Highlighted Provisions:**

14 This resolution:

- 15 ▶ approves the negotiated settlement agreement for Ronald May et al. v. Utah
16 Department of Corrections regarding Chronic Hepatitis C treatment for Utah
17 Department of Corrections inmates.

18 **Special Clauses:**

19 None

21 *Be it resolved by the Legislature of the state of Utah:*

22 WHEREAS, the Utah Department of Corrections (UDC) was sued by Ronald May and
23 others representing a class of inmates suffering from Chronic Hepatitis C, alleging that UDC
24 denied necessary medical care by failing to use direct-acting antiviral drugs in Chronic
25 Hepatitis C treatments, in Ronald May et al. v. Utah Department of Corrections;

26 WHEREAS, plaintiffs and UDC have negotiated a settlement agreement;

27 WHEREAS, by entering into this settlement agreement, UDC agrees to screen and treat
28 inmates for Chronic Hepatitis C using direct-acting antivirals, in accordance with the terms set

29 forth in the settlement agreement;

30 WHEREAS, by entering into this agreement, UDC also agrees to provide preventative
31 health education and notice of the settlement to inmates, in accordance with the terms set forth
32 in the settlement agreement;

33 WHEREAS, by entering into this agreement, UDC agrees to pay a sum of
34 \$4,500--inclusive of all costs and fees in complete and final settlement of Ronald May et al. v.
35 Utah Department of Corrections--to each class representative plaintiff;

36 WHEREAS, by entering into this agreement, UDC agrees to pay a sum of \$181,999 in
37 attorney fees and costs;

38 WHEREAS, the settlement agreement provides flexibility to UDC in treating inmates
39 based on the severity of their illness and phases in treatment plans;

40 WHEREAS, the settlement agreement shall be terminated as of June 30, 2024; and

41 WHEREAS, as per Section [63G-10-303](#), the Legislature and governor must approve
42 settlements of more than \$1,000,000 before a governmental entity may sign such an agreement:

43 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
44 approves the settlement agreement for Ronald May et al. v. Utah Department of Corrections.