

Episode: *Author Interview: “How Foundations of Carceral Health Care Came From a Right to Sue”*

Guest: Jorie Braunold, MLIS

Host: Tim Hoff

Transcript: Cheryl Green

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[bright theme music]

[00:00:03] TIM HOFF: Welcome to another episode of the Author Interview series from the *American Medical Association Journal of Ethics*. I’m your host, Tim Hoff. This series provides an alternative way to access the interesting and important work being done by Journal contributors each month. Joining me on this episode is Jorie Braunold, the archivist for the American Medical Association in Chicago, Illinois. She’s here to discuss her article, “*How Foundations of Carceral Health Care Came From a Right to Sue*,” in the April 2025 issue of the Journal, [Surgical Care of Incarcerated Patients](#). Jorie, thank you so much for being back on the podcast. [music fades]

JORIE BRAUNOLD: Thank you for having me again.

[00:00:42] HOFF: So, what is the main ethics point of this article?

BRAUNOLD: So this article underscores the ethical principle that access to health care is a fundamental right, even for incarcerated populations, and that medical professionals have a duty to uphold humane and just care standards in prisons. More specifically, the article looks at the ethical foundations of carceral health care and the role that the AMA played in it. Early in its tenure, the AMA recognized physicians’ obligations to provide care to incarcerated populations as part of their broader responsibility to public health. But it wasn’t until the 1964 Cooper vs Pate decision, which allowed incarcerated individuals to sue for grievances—thus highlighting deficiencies in prison health care—that the AMA and the ABA were prompted to make reforms.

So, the AMA began by undertaking surveys that, surprisingly, had not been done before on prison medical facilities and just prison facilities in general, just asking, “Do you have a medical facility? Is there a doctor on staff?” things like that. And what they found was inadequate medical facilities, outdated practices, lack of medical personnel in jails. And so, they worked with the Law Enforcement Assistance Administration to create health care standards, including mental health and addiction treatment, to ensure minimum medical care for incarcerated persons. The Robert Wood Johnson Foundation got involved in funding, and the AMA eventually became one of many organizations working on this topic as part of the National Commission on Correctional Health Care, which still runs to this day.

[00:02:11] HOFF: And what should health professions students and trainees be taking from all of this?

BRAUNOLD: The history of carceral health care shows that systemic neglect led to poor medical conditions in prisons, and so health professionals really have to advocate for quality care

for all patients, regardless of legal status. For AMA members, it's also important to note that the organization's involvement in shaping standards really highlights the importance of professional organizations in driving major health care reforms. The AMA, in this case, put their money where their mouth was, spent money, time, brainpower on this work, and the results were pretty quick. The AMA put out the standards in 1978, and by 1980 they were being cited in court cases.

[00:02:51] HOFF: And finally, if you could add something to this article that you didn't have the time or space for, what would that be?

BRAUNOLD: Many incarcerated individuals have chronic health conditions—also mental health disorders, substance use disorders—that require ongoing treatment. And when they're released, gaps in health care access can lead to worsening health outcomes, increased emergency room visits, and higher rates of recidivism. So, ensuring a smooth transition from correctional health care to community-based care, like facilitating Medicaid enrollment, which is something the AMA supports, linking individuals to primary care providers, and supporting reentry programs should really be a key priority for medical professionals and policymakers. [theme music returns]

[00:03:30] HOFF: Jorie, thank you so much for your time on the podcast. It's always a pleasure to talk to you.

BRAUNOLD: Thank you.

HOFF: To read the full article, as well as the rest of this month's issue for free, visit our site, [journalofethics.org](http://journalofethics.org). We'll be back soon with more *Ethics Talk* from the *American Medical Association Journal of Ethics*.