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Two Fayette jail nurses are under investigation in inmate's death

State board looking into complaints that they refused to provide care

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The Kentucky Board of Nursing is investigating two nurses at the Fayette County jail who denied medical assessment to an inmate who later died, according to jail documents.

The inmate, Dean Ferguson, 54, of Lexington, died of a pulmonary embolism after complaining of leg pain and shortness of breath all night at the jail.

Ferguson's family filed complaints against nurses Karen Hodge and Stephanie Travis in August.

The complaints say that during a 12-hour period on jail surveillance video, Dean is seen breathing heavily and collapsing many times. "Both nurses observed his condition and refused to provide medical care," the complaints say.

A spokesman for the nursing board said Tuesday that the complaints had been reviewed and would be investigated.

Travis could not immediately be reached for comment Tuesday. Hodge did not return phone messages left with a family member at her home.

According to documents obtained from the jail through an open records request, Ferguson's vital signs were normal when he checked in at 9:40 p.m. July 9.

When Ferguson collapsed five minutes later, Hodge told a jail lieutenant that "they had just seen him five minutes ago and that they were not going to see him again," records said.

At 2:45 a.m. July 10, after Ferguson complained that he was unable to walk, the nurses again advised that Ferguson's "vitals were normal, that he was 'faking' the issues and that they would not be assessing him again."

Travis did assess Ferguson at 5:40 a.m. and found "no indication of an acute condition or a change in his current status," records said.

At 8:55 a.m., Ferguson was "discovered laboring in his breathing." He was transferred to the medical facility in the jail where another nurse, Pattie Hatton, and guards attempted CPR but were unable to revive him.

Ferguson was taken to University of Kentucky Chandler Hospital, where he was pronounced dead at 10:13 a.m.

Nathan Goldman, general counsel at the state board of nursing, said that if guilt on the part of the nurses is determined, consequences could range from a reprimand to suspension of their nursing licenses. Goldman said he did not know how long the investigation might take.

Meanwhile, the jail's internal investigation into the death has ended after an autopsy attributed the death to natural causes, Sgt. Jennifer Taylor, a jail spokeswoman, said.

Todd Henson, spokesman for the state Department of Corrections, said that the Fayette County jail had reported the death to the department but that investigations into jail deaths are handled by local police.

Sherelle Roberts, spokeswoman for the Lexington police department, said police were not investigating the death because it was attributed to natural causes.

Nurses Hodge and Travis are employed by Correctional Medical Services Inc., a company that contracts with the jail for medical service.

Ken Fields, spokesman for CMS, said:"We are unable to provide the news media with information regarding the care provided to specific patients. On an ongoing basis, we do evaluate the performance of our staff, making adjustments and changes when appropriate."

Ferguson was serving a weekend sentence July 9 through 11 after being charged with driving under the influence and driving on a suspended license in May.

Ferguson's sister Lisa Day, who filed the complaint, said her brother complained of feeling ill before checking into the jail, but he refused her request to take him to a hospital.

Day said her brother insisted that jail personnel would do a full evaluation when he arrived. "He said, 'Believe me, if there's anything wrong, they will get you help,'" she said.

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