



NEWS RELEASE

Arizona State Legislature

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FOR IMMEDIATE RELEASE

Legislative Leaders Condemn Federal Receivership Order for Arizona Prison Health Care

Receivership Risks Open-Ended Taxpayer Costs, Less Accountability, and No Clear End Date

STATE CAPITOL, PHOENIX – Speaker of the Arizona House Steve Montenegro and President of the Arizona Senate Warren Petersen today issued the following joint statement on behalf of the Arizona Legislature in response to the February 19, 2026 order in *Jensen v. Thornell* appointing a federal receiver over health care services in Arizona’s nine state-run prisons:

“The Arizona State Legislature unequivocally condemns the federal court’s order placing Arizona’s prison health care system into receivership.

This is a serious overreach. It strips control from Arizona voters and their elected representatives, places a core state responsibility in the hands of an unelected receiver with no clear end date, and exposes taxpayers to open-ended costs. At a time when many law-abiding Arizonans are struggling to afford doctor visits, prescription drugs, and basic coverage, it is deeply troubling that a federal judge is now positioned to mandate a level of health care for convicted criminals that exceeds what many taxpayers themselves can access or afford.

The *Jensen* case, filed in 2012, addresses longstanding problems in medical and mental health care for inmates in Arizona’s state prisons. Arizona has never denied shortcomings. In recent years, the Legislature has funded the state to take concrete steps to improve care, including increasing full-time equivalent health care staffing from about 800 positions at the time of the 2022 findings to about 1,340 as of November 2025, investing more than \$1.3 billion in prison health care services over the past three years, and expanding mental health programming, inpatient capacity, and specialized treatment initiatives.

Arizona has also continued to implement the Court’s 2023 injunction while already bearing major litigation-related costs, including more than \$4.2 million for court-appointed monitors and \$2.1 million in plaintiffs’ attorneys’ fees through December 2025. Health care spending has risen from \$148 million in FY 2016 to \$437 million in FY 2025.

Even so, the court’s order sweeps aside these efforts and the state’s appeal of the 2025 staffing plan, now pending before the Ninth Circuit under the Prison Litigation Reform Act. It gives the receiver broad authority over a major state function, including the potential to override state laws governing the privatization of prison health care and AHCCCS reimbursement rates. That means more costs, less accountability, and no sunset.

Arizona’s prison health care system must meet constitutional standards. But the way to get there is through accountable state government, not indefinite federal control. When decisions are removed from elected leaders, the public loses oversight, and taxpayers lose any meaningful check on spending.

We are encouraged that Director Thornell has likewise made clear that this ruling is without merit and will be challenged on appeal.

The Arizona Legislature supports ADCRR’s announced appeal and urges all branches of Arizona government to vigorously defend the state’s authority to manage its own institutions while continuing the reforms already underway.

Arizonans deserve a prison health care system that is constitutionally adequate and fiscally responsible. We will continue to monitor developments closely and advocate for solutions that respect both the Eighth and Tenth Amendments.”

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