

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals
For the Seventh Circuit
Chicago, Illinois 60604

Submitted February 2, 2026*

Decided February 2, 2026

Before

MICHAEL B. BRENNAN, *Chief Judge*

DAVID F. HAMILTON, *Circuit Judge*

THOMAS L. KIRSCH II, *Circuit Judge*

No. 25-2277

STEVEN L. ZIRKO,
Plaintiff-Appellant,

Appeal from the United States District
Court for the Central District of Illinois.

v.

No. 1:22-cv-01373-MMM

CHERYL HANSEN,
Defendant-Appellee.

Michael M. Mihm,
Judge.

ORDER

Steven Zirko, an Illinois state prisoner, challenges the summary judgment order rejecting his claim that a nurse practitioner violated his Eighth Amendment rights by acting with deliberate indifference towards his lumbar degenerative disc disease and lower back pain. 42 U.S.C. § 1983. We affirm.

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

We consider the facts presented at summary judgment in the light most favorable to Zirko. *Hunter v. Mueske*, 73 F.4th 561, 565 (7th Cir. 2023). Zirko suffers from chronic back pain caused by lumbar degenerative disc disease, a condition that occurs when spinal discs break down, compress, and irritate nerves in the spinal column. In December 2020, Zirko—then confined at Pontiac Correctional Center in Pontiac, Illinois—was referred by the prison’s medical staff for treatment at the University of Illinois Chicago. There, specialists conducted a CT scan and confirmed that discs in Zirko’s lower spine were deteriorating. The specialists prescribed acetaminophen, gabapentin, and Tramadol and, in response to Zirko’s request for hydrotherapy, cleared him for a daily medical shower to help alleviate his back pain. In early 2021, Pontiac’s medical director approved the specialists’ recommendations, and a nurse practitioner issued Zirko a “medical permit” that allowed him to receive a daily shower, which did alleviate his back pain.

On April 8, 2022, another nurse practitioner, Cheryl Hansen, discontinued Zirko’s shower permit as medically unnecessary, alluding to a prison directive to reduce the number of inmates showering for security reasons. At his request, Zirko was later seen by a doctor who renewed his shower permit. But the next day, Hansen discontinued the permit as “unnecessary” because Zirko was an employee at the gym whose worker status gave him access to a daily shower. In October, Zirko returned to UIC for treatment and was again approved for daily medical showers. On the pertinent medical report, Hansen checked a box approving the recommendation, but she took no steps to have a permit issued.

Soon thereafter, Zirko sued Hansen for deliberate indifference in violation of his rights under the Eighth Amendment. Zirko asserted that Hansen unilaterally decided to discontinue his shower permit, in contravention of specialists’ orders, thereby prolonging his pain and causing him to develop debilitating sciatica. He added that he now is unable to walk without a cane and must use a wheelchair for long distances.

The district judge granted Hansen’s motion for summary judgment, concluding that Zirko did not present evidence from which a reasonable jury could conclude that she deliberately disregarded a substantial risk of serious medical harm. *Farmer v. Brennan*, 511 U.S. 825, 837 (1994). Because the record did not establish that a daily shower was medically necessary to treat Zirko’s condition, the judge concluded, discontinuing his permit did not violate the applicable standard of care, particularly when Zirko already was receiving narcotic medication for his back pain.

On appeal, Zirko challenges the judge’s conclusion that he did not present evidence of deliberate indifference. He points to Hansen’s cancellation of his shower

permit against the recommendation of multiple specialists and doctors, adding that a nurse practitioner like her should not be able to override the orders of every other provider who recommended a daily hot shower.

But disagreement among providers over the proper course of treatment generally is insufficient to establish an Eighth Amendment violation. *Lockett v. Bonson*, 937 F.3d 1016, 1023–24 (7th Cir. 2019). This standard reflects the reality that there is not one proper way to provide medical treatment in a prison, but rather a range of permissible options based on prevailing standards in the field. *Id.* at 1024. To that end, we afford great deference to a medical practitioner’s treatment decision unless her response was so inadequate that it displayed an absence of professional judgment. *Stewart v. Wexford Health Sources, Inc.*, 14 F.4th 757, 763 (7th Cir. 2021). Zirko has not introduced evidence to suggest any substantial departure from acceptable professional judgment. On the contrary, Hansen testified that when Zirko’s chart came to her attention, she considered the medications he was taking for pain relief, as well as her belief that he had access to other forms of heat therapy. Moreover, unrebutted expert testimony supported her opinion that a daily shower was not medically necessary to treat his back pain. Based on this record, no reasonable jury could have found that Hansen acted with deliberate indifference in discontinuing the shower permit.

We have considered Zirko’s remaining arguments, and they are without merit.

AFFIRMED