



**HUMAN SERVICES**  
D E P A R T M E N T

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**Presentation for Joint CCJC and LHHS Committee Meeting**  
**Medicaid and Incarcerated Individuals**  
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# Medicaid and Incarcerated Individuals

- ▶ Federal regulations do not permit Medicaid to cover Medicaid eligible recipients who are incarcerated.
- ▶ Federal regulations do not permit the Medicaid agency to determine eligibility when an individual is incarcerated.
- ▶ Medicaid programs are allowed to cover the costs of inpatient hospital stays greater than 24 hours for Medicaid-eligible incarcerated individuals.

# Inpatient Stays

- ▶ HSD has spent the last 18 months developing a process to allow for coverage of inpatient stays greater than 24 hours for incarcerated individuals.
- ▶ Process required numerous enhancements and changes to the YES–NM portal functionality, as well as to the Medicaid Management Information System (MMIS).

# Inpatient Stays

- ▶ Corrections Department personnel and staff from Bernalillo and Santa Fe Counties were trained last week on how to determine eligibility for these individuals.
- ▶ Eligibility will ONLY cover the dates the individual was in the hospital.
- ▶ Only services associated with the hospital stay will be covered.

# Medicaid Eligibility Determinations for Soon-to-be-Released Inmates

- ▶ Many incarcerated individuals will be eligible for Medicaid upon release from prison or jail due to Medicaid expansion.
- ▶ A large majority of these individuals have mental health and substance use disorders, as well as chronic physical health conditions.
- ▶ Important to enroll them in Medicaid so they can access health care services in the community.

# Presumptive Eligibility

- ▶ Presumptive eligibility (PE) is short term Medicaid eligibility based on a shortened application.
- ▶ PE is determined by specially trained PE determiners, or PEDs.
- ▶ PE enables people to access health care services while their application for “full term” Medicaid eligibility is being processed.
- ▶ PE is good until full term Medicaid eligibility is awarded or denied.

# Presumptive Eligibility

- ▶ Prior to the ACA, PE could be determined for pregnant women and children. HSD has certified PEDs in medical offices, hospitals, schools and other places.
- ▶ Under the ACA, Medicaid programs must allow hospitals to determine PE for the new adult group.
- ▶ In addition, Medicaid programs could decide which other, if any, entities they would certify to conduct PE for the new adult group.

# Presumptive Eligibility

- ▶ HSD chose to certify Indian Health providers (IHS facilities and Tribal 638s), prisons and jails to be PEDs for the new adult group.
- ▶ To our knowledge, we are the only Medicaid program to allow prisons and jails to conduct presumptive eligibility determinations.

# Presumptive Eligibility

- ▶ Part of the PED's obligation when a determination is conducted is to help the applicant complete a full Medicaid application and then submit it.
- ▶ ALL PEDs are evaluated regularly on the rate of completed and approved applications.
- ▶ PE determination training for Bernalillo and Santa Fe county jail personnel was conducted last week.
- ▶ Training includes the Medicaid application process.

# Presumptive Eligibility

- ▶ Bernalillo and Santa Fe Counties are our "pilot" counties to assure that our process works smoothly before rolling out to more counties.

# Barriers to Eligibility

- ▶ PE determinations cannot be submitted until the individual has been released from prison or jail.
- ▶ Applications cannot be submitted until the individual has been released from prison or jail.
- ▶ Timing must be arranged so that the individual leaves the facility with a PE determination in hand and have an application submitted.

# Barriers to Eligibility

- ▶ It is expected that most long term inmates in state prisons will be eligible for Medicaid under the new adult category.
- ▶ Jail populations are different:
  - Shorter stays;
  - Release dates and times can be unpredictable; and
  - Some will come from households with incomes that exceed income limit for Medicaid eligibility.
- ▶ Collection of information needed for a PE determination and a completed Medicaid application should occur at jail intake