

1 HB211
2 181598-2
3 By Representatives England and Weaver
4 RFD: Ways and Means General Fund
5 First Read: 14-FEB-17

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8 SYNOPSIS: Under existing law, pursuant to Act
9 2016-418, which becomes operative on May 12, 2017,
10 a Medicaid-eligible inmate in a state correctional
11 facility will have his or her Medicaid eligibility
12 suspended, but not terminated, and will have
13 Medicaid eligibility temporarily reinstated if the
14 inmate receives inpatient care in a medical
15 institution for more than 24 hours.

16 This bill would provide that a
17 Medicaid-eligible county inmate or juvenile under
18 the jurisdiction of a juvenile court would have his
19 or her eligibility for Medicaid suspended but not
20 terminated, and his or her Medicaid eligibility
21 would be temporarily reinstated if he or she
22 receives inpatient care in a medical institution
23 for more than 24 hours. The bill would also require
24 the county to reimburse the Medicaid Agency for any
25 state match for any inmate or juvenile receiving
26 inpatient care in a medical institution and would
27 require the development of a centralized process

1 for disseminating necessary information between the
2 Medicaid Agency and each county.

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4 A BILL
5 TO BE ENTITLED
6 AN ACT

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8 Relating to county inmates and juveniles under the
9 jurisdiction of a juvenile court; to provide for eligibility
10 for Medicaid to be suspended, but not terminated when a county
11 inmate is in custody or a juvenile is under the jurisdiction
12 of the juvenile court; to provide for temporary reinstatement
13 of Medicaid eligibility for an inmate or eligible juvenile for
14 inpatient care in a medical institution and to provide for
15 payment of any state match required; and to provide for a
16 centralized process for disseminating necessary information.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. (a) For the purposes of this act, the
19 following words have the following meanings:

20 (1) COUNTY INMATE. Any person being held in the
21 sheriff's custody in the county jail. The term includes a
22 person in custody while awaiting arraignment or bond, a
23 pretrial detainee, a convicted person waiting transfer to a
24 Department of Corrections facility, or a person serving his or
25 her sentence in the county jail.

26 (2) JUVENILE. Any child under the jurisdiction of
27 the juvenile court pursuant to Chapter 15, Title 12, Code of

1 Alabama 1975, for whom the county is responsible for the cost
2 of medical care.

3 (b) (1) A county inmate shall have his or her
4 eligibility for Medicaid suspended, but not terminated when
5 the inmate is held in custody in the county jail, provided he
6 or she is otherwise eligible for Medicaid benefits.

7 (2) A juvenile shall have his or her eligibility for
8 Medicaid suspended, but not terminated provided he or she is
9 otherwise eligible for Medicaid benefits.

10 (c) Any county inmate or juvenile who meets the
11 conditions set out in subsection (b) shall be eligible for
12 temporary reinstatement of Medicaid eligibility for care
13 received as an inpatient in a medical institution for more
14 than 24 hours. The county commission shall reimburse the
15 Medicaid Agency for the full amount of any federally required
16 state match due for the inpatient services provided to any
17 person whose eligibility is temporarily reinstated pursuant to
18 this subsection.

19 (d) In order to determine whether a county inmate or
20 juvenile meets the criteria set out in subsection (b) and to
21 properly process suspension and temporary reinstatement of
22 Medicaid benefits as provided for in this act, the Medicaid
23 Agency, in consultation with the Association of County
24 Commissions of Alabama, shall develop, approve, and implement
25 a centralized process for dissemination of information between
26 the Medicaid Agency and each county. The approved process may
27 include participation by the Association of County Commissions

1 of Alabama in providing information to the Medicaid Agency on
2 behalf of the counties. The centralized process shall be
3 developed and implemented not later than October 1, 2017, and,
4 at a minimum, shall include all of the following:

5 (1) A process for each county to identify county
6 inmates and juveniles who are eligible for Medicaid benefits
7 at the time they are taken into custody.

8 (2) A process for notifying the Medicaid Agency when
9 the Medicaid eligibility of a county inmate or juvenile is due
10 to be temporarily reinstated because the county inmate or
11 juvenile is receiving inpatient care in a medical institution
12 for more than 24 hours.

13 (3) A process for the county commission to reimburse
14 the Medicaid Agency for the full amount of any federally
15 required state match due for the inpatient services provided
16 to a county inmate or juvenile whose Medicaid eligibility is
17 temporarily reinstated because the county inmate or juvenile
18 has received inpatient care in a medical institution for more
19 than 24 hours.

20 (4) A process for the county commission to notify
21 the Medicaid Agency when the county inmate is no longer in the
22 sheriff's custody in the county jail or the juvenile is no
23 longer under the jurisdiction of the juvenile court.

24 Section 2. This act shall be operative January 1,
25 2018.

1 Section 3. This act shall become effective
2 immediately following its passage and approval by the
3 Governor, or its otherwise becoming law.