

## Medicaid rules clarified for ‘justice-involved’

By BRIAN BOWDEN May 15, 2016

Medicaid can continue to be used for services provided to eligible individuals on parole, probation & home confinement



The Department of Health and Human Services (HHS) issued new guidance on April 28 that clarifies important ways Medicaid can be used for justice-involved individuals in community settings. It's estimated that approximately 54,000–64,000 individuals are supervised outside of jails.

Released as part of National Reentry Week, the guidance updates policy issued 19 years ago in 1997. Specifically, it clarifies that Medicaid can continue to be used for services provided to eligible individuals on parole, probation and home confinement. In addition, it extends eligibility to those living in corrections-supervised community residential facilities, also known as halfway houses.

It also:

- maintains the ability of counties to seek federal Medicaid reimbursement for inpatient hospital services provided to inmates (also known as the Medicaid inpatient exception).
- acknowledges that gaps in health coverage lead to poor outcomes and increased recidivism, and reaffirms that states should suspend, instead of terminate, Medicaid benefits for inmates, and
- calls on states to take action to support connecting inmates to services when they are released from custody.

The updated guidance, contained in a letter to state health officials, comes after multiple meetings and calls between HHS and county officials to reinforce the role of counties in the nation's health and justice systems, and the importance of Medicaid for the 11.4 million individuals that annually cycle in and out of the nation's county jails.

"We're very pleased that HHS heard the voices of counties and issued guidance that makes sense from a community and economic perspective," said NACo President Sallie Clark. "The new guidelines will assist counties by improving physical and mental health outcomes for individuals reentering communities."

“This is a big step forward in our work to make our neighborhoods safer and more secure while advancing individuals’ health, reducing the revolving door of recidivism and lowering costs to counties and taxpayers.”



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## About Brian Bowden [\(Full Bio\)](#)

### Associate Legislative Director - Health

Brian Bowden serves as NACo’s Associate Legislative Director for Health and staffs NACo’s Health Steering Committee, lobbying Congress and the Administration on all health issues impacting counties including Medicaid, behavioral health, public health, jail health and long-term care.

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