

FILED FEB 24 2005

SENATE FILE 214 HUMAN RESOURCES
BY HATCH

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to enrollment of an inmate of a public
2 institution in the medical assistance program.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 214 HUMAN RESOURCES

1 Section 1. NEW SECTION. 249A.35 INMATES OF PUBLIC
2 INSTITUTIONS -- ELIGIBILITY.

3 1. The enrollment of an inmate of a public institution in
4 the medical assistance program shall not be terminated, but
5 may be suspended, while the inmate is residing in the public
6 institution. However, if the inmate's enrollment in the
7 medical assistance program is suspended, the department shall
8 redetermine the inmate's eligibility prior to release of the
9 inmate from the public institution in order to provide the
10 inmate with coverage under the medical assistance program
11 immediately upon release.

12 2. For the purposes of this section, "inmate of a public
13 institution" means as provided in 42 C.F.R. § 435.1009.

14 EXPLANATION

15 This bill provides that the enrollment of an inmate of a
16 public institution in the medical assistance program is not to
17 be terminated, but may be suspended, while the inmate is
18 residing in the public institution. However, if the inmate's
19 enrollment is suspended, the bill directs the department of
20 human services to redetermine the inmate's eligibility prior
21 to release in order to provide the inmate with coverage
22 immediately upon release.

23 The bill defines "inmate of a public institution" in
24 accordance with federal regulation. Under federal regulation,
25 an inmate of a public institution includes both juveniles and
26 adults prior to and following conviction. A public
27 institution includes state or federal prisons, jails,
28 detention facilities, or other penal facilities. Under
29 federal law, inmates of public institutions may be eligible
30 for medical assistance, but federal financial participation
31 (FFP) is not provided for inmates of public institutions. An
32 exception to the prohibition of FFP is when an inmate is
33 admitted as an inpatient to a medical institution such as a
34 hospital, nursing facility, juvenile psychiatric facility, or
35 intermediate care facility.