



OPERATIONAL MEMO

Title: CBMS Limited Medicaid Benefits for Incarcerated Individuals	Topic: Eligibility Policy
Audience: Individuals involved in the Colorado Criminal Justice System, County Departments of Human/Social Services, Medical Assistance Sites, State, County, and City Corrections and Law Enforcement Agencies	Sub-Topic: Implementation
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Purpose and Audience:

This operational memo explains the Department’s policy on Limited Medicaid Benefits for Incarcerated Individuals to Medicaid-eligible individuals. The audience includes individuals that are involved in the Colorado criminal justice system; County Department of Human/Social Services; Medicaid Assistance Sites; state, county, and city corrections and law enforcement agencies. The guidance below will explain the process for all applications from incarcerated individuals should be completed, submitted and processed while the applicant is still incarcerated and should not be postponed until release.

Summary:

The limited Incarcerated Benefit plan for incarcerated individuals allows Health First Colorado (Colorado's Medicaid Program) to pay for inpatient service and those services related to the inpatient stay for incarcerated Health First Colorado eligible individuals who require 24-hours or more of inpatient hospital care. Upon release from incarceration, an individual may qualify for full Health First Colorado benefits if they continue to meet eligibility criteria.

Eligibility workers (counties and medical assistance sites) will need to process applications for incarcerated individuals with applying for the Medicaid program. Workers will also need to update ongoing cases and redetermine eligibility when a member reports that they have a change in their incarceration status (i.e., becoming incarcerated or released from incarceration).

All applications from incarcerated individuals should be completed, submitted and processed while the applicant is still incarcerated and should not be postponed until release. These applications are to be processed in the same way as an application from someone who is not incarcerated. Per SB22-196 a county jail shall provide Medicaid enrollment paperwork to a person who is incarcerated in the jail and is potentially eligible for Medicaid benefits. This should happen when the person enters the county jail. The county jail must file the Medicaid paperwork with the county department of health and human services upon releasing the person from the county jail's custody. However, in order to ensure timely receipt of Medicaid eligibility and coverage, it is in the best interest of the member to process applications from incarcerated individuals prior to their release.

If an incarcerated applicant is determined to be eligible, they will be approved with limited benefits.

Once the member is released, the member or a member's authorized representative must report the release date at which point the case should be updated to reflect the change. A member or an authorized representative can report a change in incarceration status such as a scheduled release from prison or jail prior to the release date. Updated eligibility will then be reflected in interChange as of the day of release.

Eligibility workers should reference Cornerstone trainings titled "SSA Incarceration/SSA Composite Action Guide" and "Medical Assistance Limited Benefits while Incarcerated" for guidance on processing incarcerated Medicaid-eligible individuals, updating ongoing cases, and redetermination when a member has a change in incarcerated status.

Technical Details:

For the purposes of this policy, individuals residing in the following living arrangements are considered incarcerated:

- City/County Jail
- State/Federal Prison
- Work Release
- Wilderness Camp (Under Government Control)

System Changes

Functionality was fully implemented to support this policy in the Colorado Benefits Management System (CBMS), the State's eligibility determination system, and the Colorado interChange, the State's claims system. Below is a summary of the CBMS and Colorado interChange system functionality related to this policy.

CBMS

The CBMS system functionality allows incarcerated individuals to remain eligible within CBMS and limit Health First Colorado coverage to qualifying inpatient services and those services related to the inpatient stay for the duration of their incarceration.

The Limited Medicaid Benefits for Incarcerated Individuals policy does not apply to incarcerated individuals who are placed in the following Medical Assistance categories:

- Medicare Savings (QMB, SLMB, QI-1, QDWI, LIS)
- Presumptive Eligibility (MAGI, CHP+, BCCP)

Members with the above coverage will continue to be terminated as of their date of incarceration.

Colorado interChange

The Colorado interChange will receive information from CBMS regarding an individual's incarceration status. The eligibility span sent to the Colorado interChange will include Incarcerated Indicators set to "Yes" effective from the Date of Incarceration, and the incarcerated individual will be placed in the Incarcerated Benefit Plan within the Colorado interChange.

During the incarceration period, Medicaid members are eligible for inpatient hospital

services and those services related to the inpatient stay when they have a hospital admission of 24-hours or longer. Upon release (or upon parole) from incarceration, the individual's Medical Assistance eligibility is redetermined and, if the member remains Medicaid eligible, the Incarcerated Indicators are set to "No" effective from the date of release.

It is critical for Health First Colorado providers to continue to verify a member's eligibility. A step-by-step Quick Guide for providers on how to verify a member's eligibility can be found at [CO.gov/HCPF/interchange-resources](https://www.co.gov/HCPF/interchange-resources)

Frequently Asked Questions:

Can former offenders, individuals on probation, parole, or pretrial services qualify for Colorado Medicaid full benefits?

Yes, individuals on probation, parole, or pretrial services may qualify for Colorado Medicaid full benefits if they meet all other eligibility criteria.

Does an inmate need to have a Colorado Medicaid eligibility determination prior to the hospitalization? How long do I have to determine eligibility for Colorado Medicaid after an inmate is discharged from the hospital?

Colorado Medicaid may cover services rendered to the member up to 90 days before the date of the application.

How do I find out if an inmate qualifies for Colorado Medicaid?

Eligibility and enrollment specialists at your county's Eligibility Site will determine if an inmate qualifies for Colorado Medicaid.

When can a member enroll/re-activate their Medicaid?

An application from someone who is incarcerated should be processed when received and should be treated in the same way as an application from someone who is not incarcerated. The applications should not be held if the individual wishes to apply prior to release. If they are determined eligible for an aid that allows limited benefits while incarcerated, they will be approved with limited benefits.

How can a member re-activate their Medicaid?

This can be done on PEAK, over the phone, or directly with the eligibility site. The Eligibility Site should then update the data entry on the individual attributes of the case to reflect that the individual is no longer incarcerated.

The date used should be the date of release. A member or an authorized representative can report a change in incarceration status such as a scheduled release from prison or jail prior to the release date. Updated eligibility will then be reflected in interChange as of the day of release.

When does Medicaid coverage begin and suspend?

Members are eligible for full benefits for the entire day they are incarcerated or released.

Example: If someone is incarcerated on October 15th, they should still be eligible for full benefits for all of October 15th. They would not enter the suspend status until October 16th. Also, if someone releases at 10:00 PM on December 15th they are eligible for full benefits for all of December 15th.

What services are covered by Colorado Medicaid for inmates while admitted to a hospital for more than 24 hours? (note: this list is not exhaustive):

- Medically necessary physician services during the inpatient hospitalization
- Medically necessary hospital services during the inpatient hospitalization
- Medically necessary medications provided during the hospitalization
- Medically necessary durable medical equipment provided during the hospitalization
- Medically necessary labs and diagnostics performed during the inpatient hospitalization
- Medically necessary transport of member from one hospital to another during hospitalization

What services are not covered by Colorado Medicaid for hospitalized inmates?

Services delivered on an outpatient basis, either before inpatient admission or after discharge, are not covered by Colorado Medicaid. Examples include:

- Transportation, such as an ambulance, that occurs before admission or after discharge
- Services provided in the emergency department prior to inpatient admission
- Labs or diagnostics performed prior to inpatient admission or after discharge
- Services provided during a hospital admission for observation
- Medications or durable medical equipment that are provided before inpatient admission or after discharge

Action to be Taken:

All applications from incarcerated individuals should be completed, submitted and processed while the applicant is still incarcerated and should not be postponed until release. These applications are to be processed in the same way as an application from someone who is not incarcerated.

Attachment(s):

None

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