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Authorized Signature

Number: SPD-PT-06-002
Issue Date: 01/04/2006

Topic: Medical Benefits

Transmitting (check the box that best applies):

- New Policy
 Policy Change
 Policy Clarification
 Executive Letter
 Administrative Rule
 Manual Update
 Other: _____

Applies to (check all that apply):

- | | |
|--|--|
| <input type="checkbox"/> All DHS employees | <input checked="" type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging | <input type="checkbox"/> Health Services |
| <input type="checkbox"/> Children, Adults and Families | <input checked="" type="checkbox"/> Seniors and People with Disabilities |
| <input checked="" type="checkbox"/> County DD Program Managers | <input type="checkbox"/> Other (please specify): |

Policy/Rule Title:	Eligibility for Inmates		
Policy/Rule Number(s):	461-135-0950	Release No:	
Effective Date:	January 1, 2006	Expiration:	n/a
References:			
Web Address:			

Discussion/Interpretation:

The 2005 legislative session passed Senate Bill 913 that went into effect January 1, 2006. This legislation directed the Department to suspend the medical benefits of any client with a serious mental impairment who became incarcerated while on Medicaid. A serious mental impairment includes clients who have been diagnosed as suffering from dementia, schizophrenia, bipolar disorder, major depression or other affective disorder or psychotic mental disorder. This also applies to children who receive medical assistance based on a mental impairment and are placed in a youth correctional facility.

To comply with SB 913, the Department has developed a process to suspend and track OSIP and OSIPM clients who are SSI recipients and who become incarcerated. SB 913 applies specifically to clients with mental impairments. However, as SPD does not always know the client's basis for disability, all SSI clients who become

incarcerated will have their medical coverage suspended. Oregon Administrative Rule 461-135-0950 has been amended to allow medical benefits to be suspended, rather than closed, for SSI clients who become inmates. The following procedure was developed to assist local offices in meeting this legislative requirement.

Upon incarceration of client:

- As they do today, the OHP Corrections Project will continue to notify local offices of incarcerated clients.
- Local offices should review the case for source of unearned income and do one of the following:
 - For clients receiving SSI:
 - Suspend the case by using an action code of “susm”;
 - Add the case descriptor, “913” to the CMS record; and
 - Narrate the action in OR ACCESS.
 - For clients not receiving SSI:
 - Close the case on the date of incarceration; and
 - Send a basic decision notice.

For clients incarcerated less than one calendar month:

- Oregon Department of Corrections will notify the appropriate office when the client is being released.
- The local office should restore the case effective the date of release. SSA does not suspend SSI until the client has been incarcerated for a full calendar month, so the client should still be receiving their SSI.
- Do not remove the “913” case descriptor.

For clients incarcerated for more than a full calendar month, but less than 12 months:

- Central Office will track the case based on the “913” case descriptor.
- Once the inmate is released, Central Office will:
 - Restore the case effective the date of release with an NID code; and
 - Transfer the case to the appropriate branch office in the area where the client intends to reside.

The releasing facility, either the jail or correctional institution, will instruct the client to contact the local office to receive a medical card.

When the client contacts the office, the local office will issue the client a temporary medical card and remove the NID case descriptor. Leave the “913” case descriptor on the case. The client has 30 days from the date they are released to provide verification their SSI has been restored. If they fail to provide this verification, timely notice needs to be sent and the case closed.

Local offices need to send a designated contact name to Lauren Mitchell as soon as possible. Information should include the local branch number and email address of designated person.

For clients incarcerated for more than 12 calendar months, or inmates who meet the SSA disability criteria based on a mental impairment:

The Medicaid case will auto-close if the client is incarcerated more than 12 calendar months. Their SSI will have been terminated and can no longer be used as the basis of Medicaid eligibility. Before release, these inmates will need to re-establish Medicaid eligibility based on a Presumptive Medicaid decision.

Department of Corrections and local jails will be working in conjunction with SSA and SPD Central Office to start the Presumptive Medicaid and SSI application process for these clients. An expedited Medicaid Presumptive process will be completed during the final 90 days of incarceration for clients who are expected to meet Social Security disability criteria based on a mental impairment. If these clients are determined to meet Medicaid eligibility based on financial and non-financial elements, Central Office will open the case in the nearest office by where the client will be living.

The hard file and supporting documentation will be sent to the appropriate office and the designated contact will be notified. Department of Corrections or the local jail will direct the inmate to the local SPD/AAA office when the client is released.

The local office will need to:

- Issue a temporary medical card when the client contacts the office and remove the NID case descriptor.
- Monitor the case for SSI approval. The client will need to provide verification of SSI eligibility when SSA approves the case.
- If SSA denies the case, the client will need to appeal the decision in order to continue their Medicaid.

Please do not remove the '913' case descriptor after it has been placed on a case. The case descriptor is needed for statistical analysis.

Children whose medical benefits are processed through the Children's Medical Project and who are placed in Psychiatric Residential Treatment Services will follow the same procedures that are currently in place. The contact analyst for children is Michelle.Mack@state.or.us.

The new procedures for Senate Bill 913 can be viewed at: http://www.dhs.state.or.us/spd/tools/mh_inmate/index.htm.

Implementation/Transition Instructions: Field offices should start implementing above procedures on January 1, 2006.

Training/Communication Plan: Training on the implementation procedures for Senate Bill 913 has been provided to local jails, Department of Corrections, Mental Health Department and other partners involved in the process.

Local/Branch Action Required: Susmend any medical case when an SSI client is incarcerated and restore Medicaid if the client is released within a full calendar month.

A designated branch contact name should be emailed to Lauren.e.Mitchell@state.or.us as soon as possible. Provide branch number and email address of designated person.

Central Office Action Required: Monitor susmended cases and restore cases if client is released between the second and 12th calendar month since incarceration. Upon release of an inmate, open the medical case at the branch of residence, for inmates determined to meet presumptive Medicaid eligibility based on mental impairment.

Field/Stakeholder review: Yes No

If yes, reviewed by: SPD Operations Committee

Filing Instructions:

If you have any questions about this policy, contact:

Contact(s):	Lauren Mitchell		
Phone:	503-945-6479	Fax:	503-373-7902
E-mail:	Lauren.e.Mitchell@state.or.us		