

ACT #2017-298

1 HB211
2 182760-4
3 By Representatives England and Weaver
4 RFD: Ways and Means General Fund
5 First Read: 14-FEB-17



1
2 ENROLLED, An Act,

3 Relating to county inmates and juveniles under the
4 jurisdiction of a juvenile court who are otherwise eligible
5 for Medicaid; to provide for Medicaid benefits to be
6 suspended, but not terminated, when a county inmate is in a
7 public institution under the administrative control and
8 responsibility of the county sheriff or a juvenile is under
9 the jurisdiction of the juvenile court; to provide for
10 reinstatement of Medicaid benefits for medical care a county
11 inmate or juvenile receives as an inpatient in a medical
12 institution; to provide for payment of any state match
13 required; and to provide for a centralized process for
14 disseminating necessary information.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 (1) COUNTY INMATE. Any person being held in a public
19 institution under the administrative control and
20 responsibility of the county sheriff and for whom the county
21 is responsible for the provision of medical care. The term
22 includes a person in custody while awaiting arraignment or
23 bond, a pretrial detainee, a convicted person who is awaiting
24 transfer to but has not otherwise become the responsibility of

1 the Department of Corrections, or a person serving his or her
2 sentence in the county jail.

3 (2) INPATIENT. This term as defined in 42 C.F.R. §
4 435.1010, as may be amended.

5 (3) JUVENILE. Any child under the jurisdiction of
6 the juvenile court who is detained in a public institution and
7 for whom the county is responsible for the provision of
8 medical care pursuant to Section 12-15-108, Code of Alabama
9 1975, as may be amended.

10 (4) MEDICAL INSTITUTION. This term as defined in 42
11 C.F.R. § 435.1010, as may be amended.

12 (b)(1) A county inmate shall have his or her
13 Medicaid benefits suspended, but not terminated, provided he
14 or she is otherwise eligible for Medicaid benefits. Suspension
15 of benefits under this subdivision shall continue until the
16 county inmate is either no longer otherwise eligible for
17 Medicaid or is no longer an inmate of a public institution.

18 (2) A juvenile shall have his or her Medicaid
19 benefits suspended, but not terminated, provided he or she is
20 otherwise eligible for Medicaid benefits. Suspension of
21 benefits under this subdivision shall continue until the
22 juvenile is either no longer otherwise eligible for Medicaid
23 or is no longer detained in a public institution.

24 (c) Any county inmate or juvenile who meets the
25 conditions set out in subsection (b) shall be eligible for

1 reinstatement of Medicaid benefits for medical care received
2 as an inpatient in a medical institution, provided he or she
3 is otherwise eligible for the Medicaid benefits. The county
4 commission or other governmental entity financially
5 responsible for the county inmate or juvenile shall reimburse
6 the Medicaid Agency for the full amount of any federally
7 required state match due for the inpatient services provided
8 to any person whose Medicaid benefits are reinstated pursuant
9 to this subsection.

10 (d) In order to determine whether a county inmate or
11 juvenile meets the criteria set out in subsection (b) and to
12 properly process suspension and reinstatement of Medicaid
13 benefits as provided for in this act, the Medicaid Agency and
14 the Association of County Commissions of Alabama shall
15 develop, approve, and implement a centralized process for
16 dissemination of information between the Medicaid Agency and
17 each county. The approved process may include participation by
18 the Association of County Commissions of Alabama in providing
19 information to the Medicaid Agency on behalf of the counties.
20 The centralized process shall be developed, approved, and
21 implemented not later than November 1, 2017, and the
22 participating county commissions shall reimburse the Medicaid
23 Agency for the full amount of any federally required state
24 match incurred to establish the centralized process. The

1 centralized process, at a minimum, shall include all of the
2 following:

3 (1) A process for each county to identify county
4 inmates and juveniles who are Medicaid recipients at the time
5 they are taken into custody.

6 (2) A process for notifying the Medicaid Agency when
7 the Medicaid benefits of a county inmate or juvenile are due
8 to be reinstated for inpatient services because the county
9 inmate or juvenile is receiving inpatient care in a medical
10 institution.

11 (3) A process for the county commission or other
12 responsible governmental entity to reimburse the Medicaid
13 Agency for the full amount of any federally required state
14 match due for the inpatient services provided to a county
15 inmate or juvenile whose Medicaid benefits for inpatient
16 services are reinstated under this act.

17 (4) A process for the county commission to notify
18 the Medicaid Agency when the county inmate is no longer an
19 inmate of a public institution under the administrative
20 control and responsibility of the county sheriff.

21 (5) A process for the county commission to notify
22 the Medicaid Agency when the juvenile is no longer detained in
23 a public institution.

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.

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Mac McClatchey

Speaker of the House of Representatives

Del Marshall

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in
and was passed by the House 09-MAR-17, as amended.

Jeff Woodard
Clerk

Senate

02-MAY-17

Passed

APPROVED 5-16-2017

TIME 2:35 PM

Kay Ivey
GOVERNOR

Alabama Secretary Of State
Act Num....: 2017-298
Bill Num....: H-211
Recv'd 05/16/17 04:15pmSLF

ingland
D-SPONSORS
leaver

1. OTHER SENATE ACTION (OVER)

DATE: 3-9 2017

RD 1 RFD 1716

This Bill was referred to the Standing Committee of the Senate on FAUC and was acted upon by such Committee in session and is by order of the Committee returned therefrom with a favorable report w/amend(s) w/sub by a vote of yeas 13 nays 0 abstain 0 this 12 day of March 2017 by Patrick Harris Chairperson

DATE: 4-13 2017

RF FAU RD 2 CAL

DATE: 20

RE-REFERRED ☐ RE-COMMITTED ☐ Committee

I hereby certify that the Resolution as required in Section C of Act No. 81-889 was adopted and is attached to the Bill, HB 211
YEAS 23 NAYS 0
PATRICK HARRIS,
Secretary

I HEREBY CERTIFY THAT THE RESOLUTION AS REQUIRED IN SECTION C OF ACT NO. 81-889 WAS ADOPTED AND IS ATTACHED TO THE BILL, H.B. 211
YEAS 96 NAYS 2
JEFF WOODARD, Clerk

I HEREBY CERTIFY THAT THE NOTICE & PROOF IS ATTACHED TO THE BILL, H.B. AS REQUIRED IN THE GENERAL ACTS OF ALABAMA, 1975 ACT NO. 919.
JEFF WOODARD, Clerk

CONFERENCE COMMITTEE
House Conferees

1. OTHER SENATE ACTION (OVER)