



# Monterey County

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## Board Report

Legistar File Number: 18-502

May 15, 2018

**Introduced:** 4/30/2018

**Version:** 1

**Current Status:** Consent Agenda

**Matter Type:** General Agenda Item

Approve the Agreement with the California State Department of Health Care Services for reimbursement of eligible inpatient medical expenses for inmates at the Monterey County Jail through the Medi-Cal for Inmate Program (MCIP) from July 1, 2018 - June 30, 2019.

### RECOMMENDATION:

It is recommended that the Board approve Agreement with the California State Department of Health Care Services for reimbursement of eligible inpatient medical expenses for inmates at the Monterey County Jail through the Medi-Cal for Inmate Program (MCIP) from July 1, 2018 - June 30, 2019.

### SUMMARY/DISCUSSION:

On October 8, 2013 California Assembly Bill No.720, Chapter 646 was passed, adding Section 4011.11 to the Penal Code and amending Section 14011.10 of the Welfare and Institutions Code relating to inmates. These legislative actions created the Medi-Cal for Inmates program (MCIP), with a start date of January 1, 2014. Prior to the creation of this program, all medical care costs of inmates were borne by the County where inmate was incarcerated.

The program has three sections covering Adults, Juvenile Wards and the compassionate release of terminally ill inmates. Adult prisoners meeting Medi Cal eligibility guidelines are eligible to have inpatient hospital stays, in a non-correctional care facility, of 24 hours or more covered by Medi-Cal. The Adult eligibility piece of the program serves as the main focus of this board report, as Probation has had only two (2) hospitalizations occur under the Juvenile Wards component of the program. The County has not had a prisoner meeting compassionate release criterion in The past year. (we had one in 2017 under consideration, who passed away prior to Judges order.

Community Oriented Correctional Health Services (COCHS) was retained as a consultant to provide assistance and guidance on formulation of an enrollment strategy. COCHS met with the Sheriff's Office, Probation Department, County Counsel, Department of Social Services and the County Administrator's Office- Office of Community Engagement and Strategic Advocacy to draft an action plan. One of the action items deemed necessary to enable the enrollment of these inpatient prisoners

into Medi Cal was a Board Order passed on 09/16/2014. The Board Order delineated that the Department of Social Services would designate staff members to complete applications and to determine eligibility for inmates and designated the Sheriff's Office authorized representative status to sign a Medi Cal application for an inmate only if the inmate was unwilling or unable to sign the application.

Since that time, the strategic partners in this plan (Department of Social Services, Sheriff's Office (SO, Probation, Natividad Medical Center, CAO, County Counsel, Health) have coordinated on a regular basis to evaluate enrollment strategies, based on the MCIP program language disseminated in 2014. Members of the team have been active on a statewide level to ensure final language in the contract documents would be beneficial to the county.

Significant time delays in implementation arose, as California Department of Health Care Services evaluated and identified weaknesses within the Medi-Cal Eligibility System (MEDS) used by the Dept of Social Services for Medi Cal enrollment, and as the Dept of Health Care Services identified and attempted to reconcile conflicts between State language enacted in AB No. 720 and Federal Medi Cal regulations.

On December 8th, 2016, the Department of Health Care Services announced it would finally open a claiming period for the program for April 1, 2017 to June 30, 2017. Material changes to the program were also announced, which included removal of the Sheriff's designated authority, implementation of the program as a "day to day" program, and institution of a 90 day only retroactive eligibility period. The Department further opined that any claim where a third party payor paid or was obligated to pay any part of the claim would be ineligible for reimbursement. The Probation Department and Sheriff's Office used to share a joint medical Services contract that has third party payor language which has the potential to make all retroactive claiming ineligible. As of January 1, 2018, this is no longer an issue with the contract that Monterey County Sheriff's Office has with California Forensic Medical Group (CFMG). Monterey County will be able to claim all expenses for reimbursement during this contract period. The Probation Department now contracts with Natividad Medical Center for medical services beginning on July 1, 2017.

OTHER AGENCY INVOLVEMENT: Department staff involved in working through this state reimbursement process includes the Sheriff's Office, Probation, Social Services, Natividad Medical Center, Health Service and the County Administrative Office that included Budget and Community Engagement.

FINANCING: Staff costs associated with tracking and submitting reimbursement requests to DHCS and cost to DHCS for MCIP Administrative Services rendered under this agreement will be absorbed

within County operational budgets. The MCIP process can help alleviate medical expenses for Jail detainees to the County by reducing the expense paid by the County through Sheriff's Office as medical providers are now able to bill the State for Medi-cal eligible hospital stays under the MCIP program. The County has spent about \$302,000 for hospital stays over 24 hours for detainees this current fiscal year

The contract with DHCS calls for the County through the Sheriff's Office pay a quarterly prorated administrative fee and pay 5% or 50% (the Non-Federal Share) of the amount of each paid claim. There is no limit to this liability, although it is estimated not exceed \$200,000. The County is still responsible for payment on any claim where Medi Cal eligibility is not achieved

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Approved by:

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Attachments: