



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Board Report

File #: 17-0151, **Version:** 1

Approve the Agreement with the California State Department of Health Care Services for reimbursement of inpatient medical expenses for inmates at the Monterey County Jail through the Medi-Cal for Inmate Program (MCIP).

RECOMMENDATION:

It is recommended that the Board of Supervisors approve the Agreement with the California State Department of Health Care Services for reimbursement of inpatient medical expenses for inmates at the Monterey County Jail through the Medi-Cal for Inmate Program (MCIP).

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 recent years.

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 (DHCS) evaluated and identified weaknesses within the Medi-Cal Eligibility System (MEDS) used by the Department of Social Services for Medi Cal enrollment, and as the 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, DHCS 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 DHCS 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 share a joint medical Services contract that has third party payor language which has the potential to make all retroactive claiming ineligible. This will have ongoing discussion with DHCS and other Counties across California that are in the same position as Monterey County and whether contract changes will be made to the contract with our health provider at our detention facilities.

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

FINANCING: Staff costs from County associated with tracking and submitting reimbursement request to DHCS.

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Approved by:

Attachments: Agreement for FY16-17
Agreement for FY17-18

Attachments on file with the Clerk of the Board.