



Board Agenda Item 27

DATE: October 23, 2018

TO: Board of Supervisors

SUBMITTED BY: Margaret Mims, Sheriff-Coroner

SUBJECT: Designating Entity to Assist Jail Inmates to Apply for Medi-Cal Eligibility for Acute Inpatient Hospital Services, Pursuant to California Penal Code 4011.11

RECOMMENDED ACTION(S):

Adopt a resolution designating the Fresno County Sheriff-Coroner's Office as an entity to assist County jail inmates with their applications for a health insurance affordability program and to act on behalf of inmates for the purpose of applying for Medi-Cal eligibility for acute inpatient hospital services, pursuant to California Penal Code section 4011.11.

There is no increase in Net County Cost associated with the recommended action. Assembly Bill (AB) 720 (Statutes of 2013, Chapter 646) requires counties to suspend rather than terminate Medi-Cal benefits for all inmates, regardless of age. Approval of the recommended action will allow the Sheriff-Coroner's Office to assist inmates in applying for and to act on behalf of county jail inmates to apply for the Medi-Cal Inmate Eligibility Program (MCIP) for acute inpatient hospital services received off the grounds of the correctional facility. Through the recommended designation, Sheriff-Coroner staff will also be able to submit MCIP applications to the County Welfare Department on behalf of county jail inmates. This item is countywide.

ALTERNATIVE ACTION(S):

If the recommended action is not approved, the Sheriff-Coroner's Office would not be able to assist and act on behalf of those inmates who are unwilling to cooperate or who are incapacitated and unable to cooperate in the application process for benefits under the MCIP.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. All costs for inpatient hospital care are the responsibility of the County. Enrolling inmates in the MCIP would be a budgetary savings for the County, as the MCIP program makes federal financial participation (FFP) funds available for medical care provided to eligible county inmates. The MCIP program allows Medi-Cal providers to directly bill the Department of Health Care Services (DHCS) for health care costs for MCIP covered inmates. Sufficient appropriations are included in the FY 2018-19 Adopted Budget for Sheriff-Coroner Org 3111 for medical costs not covered through the MCIP.

DISCUSSION:

Medical care provided to inmates, while incarcerated, cannot be billed to Medi-Cal. The County is financially responsible for the medical care provided to inmates on-site in the jail and off-site in the hospital emergency room and specialty medical offices. Since the implementation of the Affordable Care Act (ACA), medical care provided to inmates in an inpatient hospital setting is eligible for Medi-Cal reimbursement if the inmate

is enrolled in the MCIP.

Pursuant to Welfare and Institutions Code 14053.7, each year the County must enter into an agreement with the DHCS in order for providers to be able to send claims directly to DHCS for MCIP services provided to eligible inmates. The agreement sets forth the terms that the County must abide by in order to participate in the MCIP, including that DHCS will reimburse providers at the applicable Medi-Cal rate for services rendered. Your Board approved the Medi-Cal County Inmate Program Agreement (Agreement No. 18-253) with DHCS on May 8, 2018.

California Penal Code 4011.11 authorizes the Board of Supervisors in each county, in consultation with the Sheriff, to designate one or more entities to assist County jail inmates in applying for health care coverage and to act on behalf of a county jail inmate for the purpose of applying for the MCIP for acute inpatient hospital care.

As indicated above, if an inmate is admitted to a hospital, the inmate's Medi-Cal benefits may be temporarily activated for obtaining Medi-Cal coverage for the acute inpatient hospital services provided to that inmate. California Penal Code 4011.11 grants authority to counties to submit an application on behalf of a hospitalized inmate even if that inmate has refused to enroll or is incapacitated and cannot consent to enrollment.

On April 3, 2018, your Board approved Agreement A-18-169 with California Forensic Medical Group (CFMG), to provide medical, mental health, and substance use disorder services to inmates at the County Adult Detention Facilities and wards at the Juvenile Justice Campus. As part of the agreement, section I. A. 7. (Medi-Cal Inmate Program), the contractor (CFMG) is not responsible for any inpatient hospitalization costs. All costs for inpatient hospital care are the responsibility of the County.

Designating the Fresno County Sheriff-Coroner's Office as the entity authorized to assist County jail inmates in applying for Medi-Cal will allow for Medi-Cal reimbursement for providers of inpatient hospitalization services and will provide inmates with access to Medi-Cal benefits upon release from County jail.

A separate agenda item before your Board today is a Sheriff-Coroner Salary Resolution Amendment to add eight Program Technicians I/II positions. The Sheriff-Coroner's Office will be assigning two out of the eight Program Technicians I/II positions to the County jail to assist inmates in the application process to receive Medi-Cal benefits, under the MCIP program. The Sheriff-Coroner's Office will act on behalf of hospitalized inmates, as needed, to complete an application for the MCIP and submit the application to the Department of Social Services for determination of eligibility.

The Department of Public Health and County Counsel's Office have reviewed this item.

REFERENCE MATERIAL:

BAI #36, May 8, 2018
BAI #8.1, April 3, 2018

ATTACHMENTS INCLUDED AND/OR ON FILE:

California Penal Code 4011.11
On file with Clerk - Resolution of Designation

CAO ANALYST:

Jeannie Z. Figueroa