



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

OCT 01 2001

The Honorable Charles L. Rangel
House of Representatives
Washington, DC 20515

Dear Mr. Rangel:

Thank you for your letter inquiring about the Department's policy on the Medicaid eligibility of inmates when they are released from prison.

I share your concern about the ability of inmates who entered jail enrolled in Medicaid to retain Medicaid coverage. The letter correctly describes the Department's policy, which is aimed at preventing the kinds of situations you describe. The September 14, 2000, letter stated that States may not terminate incarcerated individuals from Medicaid until a redetermination has been conducted, including an ex-parte review.

In addition, unless a state determines that an individual is no longer eligible for Medicaid, states must ensure that incarcerated individuals are returned to the Medicaid eligibility rolls immediately upon release, thus allowing individuals to go directly to a Medicaid provider and demonstrate his/her Medicaid eligibility. Please be assured that this is CMS current policy and there are plans to disseminate it to all states.

This policy is clearly advantageous for those whose incarceration is relatively brief. If they are released during a normal period of eligibility and before the State's usual, periodic redetermination of eligibility takes place, then our policy should ensure immediate resumption of Medicare coverage upon their release.

Please feel free to call me if you have any further questions or concerns.

Sincerely,


Tommy G. Thompson