

 <p style="text-align: center;"><b>DIVISION OF ADULT INSTITUTIONS</b></p> <p style="text-align: center;"><b>POLICY AND PROCEDURES</b></p>	<b>DAI Policy #:</b> 309.00.51	<b>Page</b> 1 of 7
	<b>Original Effective Date:</b> 01/01/16	<b>New Effective Date:</b> 10/31/23
	<b>Supersedes:</b> 309.00.51	<b>Dated:</b> 09/13/21
	<b>Administrator's Approval:</b> Sarah Cooper, Administrator – 10/03/23	
	<b>Required Posting or Restricted:</b> <input checked="" type="checkbox"/> PIOC <input checked="" type="checkbox"/> All Staff <input type="checkbox"/> Restricted	
<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Medicaid Application		

**POLICY**

The Division of Adult Institutions shall provide releasing PIOC the opportunity to apply for public Medical Assistance programs prior to release.

**REFERENCES**

Code of Federal Regulations, Title 42, Chapter IV – Centers for Medicare & Medicaid Services, Department Of Health And Human Services

Wisconsin Statutes Ch. 49 – Subchapter IV – Medical Assistance

Wisconsin Statutes Ch. 49 – Subchapter V – Other Support and Medical Programs

Wisconsin Statutes Ch. 49 – Subchapter VI – General Provisions

Patient Protection and Affordable Health Care Act (PPACA)

Health Care and Education Reconciliation Act

Wisconsin Administrative Code Ch. DHS 101-109 – Medical Assistance

DOC-DHS Memorandum of Understanding

DHS Operations Memo 14-49 – Processing Telephonic Applications for Offenders

DHS Operations Memo 20-24 – Suspension of Health Care Coverage During Incarceration

myDOC ACA Reference Page

**DEFINITIONS, ACRONYMS AND FORMS**

ACA – Affordable Care Act

ADA – American Disabilities Act

BadgerCare Plus (BC+) – Health care for children, pregnant women and adults, with or without dependent children. Eligibility is based on income and household size.

CIP – Challenge Incarceration Program

COMPAS – Correctional Offender Management Profiling for Alternative Sanctions

DAI – Division of Adult Institutions

DHS – Department of Health Services

DOC – Department of Corrections

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DOC-184 – Disbursement Request

DOC-236D – Identification Property Access Record (Red)

DOC-237 – Property Receipt

DOC-745 – Release Plan Information

EBD – Elderly, blind, disabled

EHC – Extraordinary Health Conditions

ERP – Earned Release Program

ES – Extended Supervision

ID – Intellectual Disability

Income Maintenance (IM) Agency – IM Consortia, county or tribal agency administering Wisconsin’s income maintenance programs

Income Maintenance (IM) Consortium – An organization composed of groups of counties administering Wisconsin’s income maintenance programs.

LEP – Limited English Proficiency

MR – Mandatory Release

PHI – Protected Health Information

PII – Personally Identifiable Information

PIOC – Persons in Our Care

POC-0098 – Wisconsin Medicaid Application Instructions

Suspension-The DHS policy of suspending, rather than terminating, Medicaid benefits upon a period of incarceration, either in jail or prison. A suspension means that the case remains open but Medicaid does not pay for any services except for inpatient hospital services.

Wisconsin Medicaid for the Elderly, Blind and Disabled (EBD Medicaid) – Health care coverage for people who are age 65 and older, blind, or who have a disability. Disability and blindness determinations are made by the Disability Determination Bureau (DDB) in the Department of Health Services.

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## **PROCEDURE**

### **I. PIOC Approved for Medicaid Services Have Access to Mental Health, Substance Use Disorder, Medical Treatment and Other Covered Services as Needed after Release.**

### **II. Staff Training**

- A. Staff training shall be available through DOC's learning management software.
- B. Initial training is required for ACA Site Coordinators, Social Workers and Social Worker Supervisors. Warden/designee may designate additional classifications required to attend training.

### **III. PIOC Education**

- A. PIOC cannot use Medicaid services until release with the exception of inpatient hospital stays.
- B. Facilities shall designate staff to provide information to PIOC about health care system changes and health coverage options through pre-release planning.
- C. Facilities shall designate staff to provide paper applications and information on the process of applying for Wisconsin's Medicaid programs prior to release.
- D. Facilities shall designate staff to provide the application, instructions and information about applying for health insurance purchases from the Federal Health Insurance Marketplace.
- E. Facilities may provide periodic multi-media presentations about health system changes through PIOC-access closed circuit televisions systems and self-study materials in libraries or resource rooms.

### **IV. Pre-Release Application Assistance Process**

- A. Facilities shall designate ACA Site Coordinator(s).
- B. PIOC not currently in a suspended Medicaid status are required to apply/reapply if they are interested in receiving benefits upon release.
- C. PIOC in a suspended Medicaid status do not need to reapply.
- D. Facilities shall provide all PIOC access to application materials.

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- E. During release planning, PIOC shall complete a DOC-745 and identify if they plan to complete an application for health insurance prior to their release. Applications are voluntary.
- F. Application assistance shall be documented in each PIOC COMPAS case/custom fields/release plan section under ForwardHealth Card.
- G. PIOC may apply for BadgerCare Plus or EBD Medicaid via telephone in accordance with the timeframes described in Section IV.E.

**V. BadgerCare Plus or EBD Medicaid Application**

- A. Application procedures may vary by facility due to physical plant, method of pre-release planning or other factors.
- B. Facilities shall ensure protection of PIOC PII and PHI shared during phone calls when establishing facility procedures.
- C. DOC and DHS have an information-sharing agreement which provides information about PIOC. IM agencies shall have access to PIOC current release dates and facility addresses.
- D. PIOC in a suspended Medicaid status continue to be considered Medicaid members. PIOC shall be notified of the new status via mail and annually as required by Federal policy.
- E. The PIOC may request the IM Consortium toll-free number or Menominee County toll number.
- F. Calls to the IM Consortia can be placed at any time at the facility's discretion. IM agency staff use the data exchange and/or Wisconsin DOC Offender Locator to verify MR/ES and Maximum Discharge dates.
- G. CIP, ERP, Geriatric/EHC and other release provisions, and parole grant releases can submit applications at any point in the application process, at each facility's discretion. Long Term Care applicants should submit Medicaid applications six months prior to release.
- H. DAI staff may verbally confirm release dates for CIP, ERP, Geriatric/EHC and other release provisions and parole grants, when known.
- I. PIOC Medicaid members are required to notify the IM agency of changes in residence, income and household within 10 days of the change. If incarceration is extended after successful enrollment, PIOC shall notify the IM agency of the change.

**VI. Telephone Use**

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- A. The PIOC telephone system allows calls to the IM Consortia and the DHS member services toll-free numbers, as well as the Menominee County toll number. PIOC are required to enter their pin number prior to placing calls.
- B. These numbers shall allow call times up to one hour before terminating.
- C. Menominee County residents' applications may be handled differently and require additional steps to complete an eligibility determination.
- D. PIOC whose benefits were terminated upon incarceration must reapply. Those needing a replacement card need to wait two business days after being approved for benefits before contacting Member Services for the replacement card.
- E. Facilities may provide alternatives to the PIOC phone system in situations where the physical plant or PIOC traffic prevents sufficient protection of PII or PHI. Alternatives may include, but are not limited to, attorney call booths and supervised calls from staff offices.

**VII. Additional Assistance**

- A. PIOC facing challenges to successful completion of the application process may require additional staff assistance, including assistance completing paper applications and/or staff-facilitated phone calls.
- B. PIOC with ID, serious mental illness, low reading scores, a need for ADA accommodations and/or LEP who are interested in applying for health insurance or Medicaid shall be screened for the level of assistance required to successfully complete the application process.
  - 1. Social Workers' familiarity with PIOC on their caseloads, training, experience and professional judgment shall be used to determine whether an individual requires a staff-assisted phone call.
  - 2. IM Consortia shall provide PIOC with LEP with interpreters.
- C. Staff-facilitated phone calls shall follow established facility procedures.

**VIII. After the Eligibility Interview**

- A. PIOC may receive a request for pay stubs, family information or a copy of an Identification Card as verification. The IM agency may also require copies of vital documents such as a social security card or birth certificate.
- B. PIOC shall complete and submit a DOC-184 with an addressed, stamped envelope requesting a copy be made of the required vital document and sent to the requesting IM agency. Facilities shall develop a procedure to designate staff involved in this process.

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- C. PIOC applying more than 10 days prior to release will likely receive the enrollment information and ForwardHealth card at the facility mailing address.
- D. ForwardHealth Cards shall be treated as vital documents and stored securely in the DOC-236D.
  - a. The PIOC shall be issued a DOC-237 for the ForwardHealth card.
  - b. Facilities shall establish procedures to ensure the card is not sent directly to the PIOC.
- E. If vital documents are received for PIOC who is no longer at the facility, staff shall forward those documents to the receiving facility or forwarding address.

**IX. Federal Health Insurance Marketplace**

- A. Paper applications for the Federal Health Insurance Marketplace shall be made available during pre-release planning.
- B. Marketplace applications shall not be processed until on or after the PIOC release date.

**DIVISION OF ADULT INSTITUTIONS FACILITY IMPLEMENTATION PROCEDURES**

<b>Facility:</b> Name		
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<b>Chapter:</b> 309 Resources for Inmates		
<b>Subject:</b> Medicaid Application		
<b>Will Implement</b> <input type="checkbox"/> As written <input type="checkbox"/> With below procedures for facility implementation		
<b>Warden's/Center Superintendent's Approval:</b>		

**REFERENCES**

**DEFINITIONS, ACRONYMS AND FORMS**

**FACILITY PROCEDURE**

- I.
  - A.
    - 1.
      - a.
  - B.
  - C.
- II.
  - A.
  - B.
  - C.