§3174-CC. Medicaid eligibility during incarceration

1. Establish procedures. The department shall establish procedures to ensure that:
   
   A. A person receiving federally approved Medicaid services prior to incarceration does not lose Medicaid eligibility as a result of that incarceration and receives assistance with reapplying for benefits if that person's Medicaid coverage expires or is terminated during the term of incarceration; and [PL 2019, c. 492, §2 (NEW).]

   B. A person who is not receiving federally approved Medicaid services prior to incarceration but meets the eligibility requirements for Medicaid receives assistance with applying for federally approved Medicaid services. [PL 2019, c. 492, §2 (NEW).]

2. Presumptive eligibility. If a MaineCare provider determines that a person who is incarcerated who does not have Medicaid coverage is likely to be eligible for services under this section, the provider must be reimbursed for services provided under this section in accordance with 42 Code of Federal Regulations, Section 435.1101. [PL 2019, c. 492, §2 (NEW).]

3. Memorandum of understanding. The department and the Department of Corrections shall enter into a memorandum of understanding in order to provide an incarcerated person with assistance in applying for benefits under this section and section 3104, subsection 17. [PL 2019, c. 492, §2 (NEW).]

   The provisions of this section apply even if Medicaid coverage is limited during the period of incarceration. Nothing in this section requires or permits the department to maintain an incarcerated person's Medicaid eligibility if the person no longer meets eligibility requirements. [PL 2019, c. 492, §2 (RPR).]

SECTION HISTORY


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