

Union Calendar No. 568

115TH CONGRESS
2D SESSION

H. R. 4005

[Report No. 115–733]

To amend title XIX of the Social Security Act to allow for medical assistance under Medicaid for inmates during the 30-day period preceding release from a public institution.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 10, 2017

Mr. TONKO introduced the following bill; which was referred to the Committee on Energy and Commerce

JUNE 12, 2018

Additional sponsors: Mr. TURNER, Mr. WALDEN, and Mr. MITCHELL

JUNE 12, 2018

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on October 10, 2017]

A BILL

To amend title XIX of the Social Security Act to allow for medical assistance under Medicaid for inmates during the 30-day period preceding release from a public institution.

1 *Be it enacted by the Senate and House of Representa-*
 2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 *This Act may be cited as the “Medicaid Reentry Act”.*

5 **SEC. 2. PROMOTING STATE INNOVATIONS TO EASE TRANSI-**
 6 **TIONS INTEGRATION TO THE COMMUNITY**
 7 **FOR CERTAIN INDIVIDUALS.**

8 *(a) STAKEHOLDER GROUP DEVELOPMENT OF BEST*
 9 *PRACTICES; MEDICAID INNOVATION ACCELERATOR PRO-*
 10 *GRAM.—*

11 *(1) STAKEHOLDER GROUP BEST PRACTICES.—*
 12 *Not later than 6 months after the date of the enact-*
 13 *ment of this Act, the Secretary of Health and Human*
 14 *Services shall convene a stakeholder group of rep-*
 15 *resentatives of managed care organizations, Medicaid*
 16 *beneficiaries, health care providers, the National Asso-*
 17 *ciation of Medicaid Directors, and other relevant rep-*
 18 *resentatives from local, State, and Federal jail and*
 19 *prison systems to develop best practices (and submit*
 20 *to the Secretary and Congress a report on such best*
 21 *practices) for States—*

22 *(A) to ease the health care-related transition*
 23 *of an individual who is an inmate of a public*
 24 *institution from the public institution to the*
 25 *community, including best practices for ensuring*

1 *continuity of health insurance coverage or cov-*
 2 *erage under the State Medicaid plan under title*
 3 *XIX of the Social Security Act, as applicable,*
 4 *and relevant social services; and*

5 *(B) to carry out, with respect to such an in-*
 6 *dividual, such health care-related transition not*
 7 *later than 30 days after such individual is re-*
 8 *leased from the public institution.*

9 (2) *STATE MEDICAID PROGRAM INNOVATION.—*

10 *The Secretary of Health and Human Services shall*
 11 *work with States on innovative strategies to help in-*
 12 *dividuals who are inmates of public institutions and*
 13 *otherwise eligible for medical assistance under the*
 14 *Medicaid program under title XIX of the Social Secu-*
 15 *rity Act transition, with respect to enrollment for*
 16 *medical assistance under such program, seamlessly to*
 17 *the community.*

18 (b) *GUIDANCE ON INNOVATIVE SERVICE DELIVERY*
 19 *SYSTEMS DEMONSTRATION PROJECT OPPORTUNITIES.—*

20 *Not later than one year after the date of the enactment of*
 21 *this Act, the Secretary of Health and Human Services,*
 22 *through the Administrator of the Centers for Medicare &*
 23 *Medicaid Services, shall issue a State Medicaid Director let-*
 24 *ter, based on best practices developed under subsection*
 25 *(a)(1), regarding opportunities to design demonstration*

1 *projects under section 1115 of the Social Security Act (42*
 2 *U.S.C. 1315) to improve care transitions for certain indi-*
 3 *viduals who are soon-to-be former inmates of a public insti-*
 4 *tution and who are otherwise eligible to receive medical as-*
 5 *sistance under title XIX of such Act, including systems for,*
 6 *with respect to a period (not to exceed 30 days) immediately*
 7 *prior to the day on which such individuals are expected*
 8 *to be released from such institution—*

9 (1) *providing assistance and education for en-*
 10 *rollment under a State plan under the Medicaid pro-*
 11 *gram under title XIX of such Act for such individuals*
 12 *during such period; and*

13 (2) *providing health care services for such indi-*
 14 *viduals during such period.*

15 (c) *RULE OF CONSTRUCTION.—Nothing under title*
 16 *XIX of the Social Security Act or any other provision of*
 17 *law precludes a State from reclassifying or suspending*
 18 *(rather than terminating) eligibility of an individual for*
 19 *medical assistance under title XIX of the Social Security*
 20 *Act while such individual is an inmate of a public institu-*
 21 *tion.*

Amend the title so as to read: “A bill to promote State innovations to ease transitions to the community for individuals who are inmates of a public institution and eligible for medical assistance under the Medicaid program.”.

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