

SENATE, No. 371

STATE OF NEW JERSEY

219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator JOSEPH P. CRYAN

District 20 (Union)

Senator JOSEPH F. VITALE

District 19 (Middlesex)

SYNOPSIS

Requires DOC and DHS to pre-enroll inmates in Medicaid; establishes Medicaid enrollment course for inmates within DOC.

CURRENT VERSION OF TEXT

As reported by the Senate Health, Human Services and Senior Citizens Committee with technical review.



1 **AN ACT** concerning medical care for inmates, supplementing Title
2 30 of the Revised Statutes, and amending P.L.2009, c.329.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. (New section) a. The Commissioner of Corrections shall
8 establish within each State correctional facility a Medicaid peer
9 mentoring program. Under the program, the Office of Transitional
10 Services within the Department of Corrections shall select inmates
11 who may volunteer to serve as peer mentors to educate fellow
12 inmates who are eligible for release about the Medicaid enrollment
13 process. The peer mentors shall be responsible for:

14 (1) advising inmates about the federal requirement that all
15 individuals maintain health care coverage and the potential tax
16 liability if a person is uninsured;

17 (2) educating inmates about the benefits of applying for
18 Medicaid;

19 (3) providing presentations during pre-enrollment classes
20 established pursuant to section 9 of P.L.2009, c.329 (C.30:4-91.17);

21 (4) providing guidance and assistance throughout the pre-
22 enrollment process established pursuant to section 9 of
23 P.L.2009, c.329 (C.30:4-91.17).

24 b. The Office of Transitional Services, in consultation with the
25 Department of Human Services, shall establish a training program
26 to prepare peer mentors for their responsibilities established
27 pursuant to subsection a. of this section.

28

29 2. Section 9 of P.L.2009, c.329 (C.30:4-91.17) is amended to
30 read as follows:

31 9. a. The Office of Transitional Services within the
32 Department of Corrections, in consultation with the Department of
33 Human Services, shall establish a Medicaid pre-release enrollment
34 program for inmates who are nearing the end of their term of
35 incarceration. Under the program, the Office of Transitional
36 Services shall establish a pre-release enrollment class utilizing peer
37 mentors who are trained pursuant to section 1 of P.L. _____, c.
38 (C. _____) (pending before the Legislature as this bill). The pre-
39 release enrollment class shall educate inmates about the benefits of
40 applying for Medicaid and the various managed care plans offered
41 by Medicaid. Inmates who are within 90 days of their scheduled
42 date of release from incarceration from a State correctional facility
43 or a residential community release program shall participate in the
44 pre-enrollment class.

45 Within one week of the pre-enrollment class, the Office of
46 Transitional Services shall assist the inmate in making a managed
47 care selection and applying for medical assistance benefits under

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 the Medicaid program. Medicaid eligibility determinations shall be
2 based on information provided by the inmate prior to the scheduled
3 date of release from incarceration as well as the medical history
4 provided by the Department of Corrections.

5 b. The Office of Transitional Services shall coordinate with the
6 Department of Human Services to provide eligible inmates with a
7 Medicaid eligibility identification card on the date the inmate is
8 released from incarceration. The Commissioner of Corrections shall
9 ensure that at least **【30】** 60 days prior to the scheduled date of
10 release of an inmate from a correctional institution in the State, the
11 appropriate staff at the institution notify the applicable county
12 welfare agency to process the initial application for medical
13 assistance benefits under the Medicaid program or the reinstatement
14 of the inmate in the Medicaid program if the inmate was enrolled in
15 Medicaid prior to incarceration and continues to meet eligibility
16 requirements for the program. The commission shall provide each
17 eligible inmate with a Medicaid eligibility identification card upon
18 the date on which the inmate is released from incarceration.

19 c. Prior to release from incarceration, every inmate with
20 complex health needs shall be assigned a case manager from
21 Medicaid managed care organization chosen by the inmate. The
22 case manager shall establish for each inmate with complex health
23 needs a transition plan to coordinate the inmate's access to medical
24 care and services following the inmate's release from incarceration.
25 In establishing the transition plan, the case manager may
26 communicate with the inmate regarding the inmate's health care via
27 a video conference call. The transition plan shall include an initial
28 appointment with a primary care physician who accepts Medicaid
29 and a list of any scheduled follow-up appointments. The transition
30 plan also shall include assistance with coordinating other services
31 including, but not limited to, locating available housing and
32 accessible transportation in close proximity to the inmate's
33 healthcare providers. The commission shall provide the transition
34 plan to each inmate with complex health needs upon the date on
35 which the inmate is released from incarceration.

36 The case manager shall contact the inmate within five days after
37 the date of the inmate's release from incarceration to assist the
38 inmate with accessing care according to the transition plan. The
39 assistance provided shall include identifying and removing barriers
40 to care and addressing any additional needs that are expressed by
41 the inmate. After three unsuccessful attempts to contact the inmate,
42 the case manager shall send to the inmate a letter with the case
43 manager's contact information to request assistance.

44 d. As used in this act **【.】** :

45 "Complex health needs" means a medical condition that is a
46 mental illness, substance use disorder, infectious disease, chronic
47 condition, or fatal illness for which an inmate received continuous
48 treatment while incarcerated.

1 "Medicaid" means the Medicaid program established pursuant to
2 P.L.1968, c.413 (C.30:4D-1 et seq.).
3 (cf: P.L.2009, c.329, s.9)
4

5 3. (New section) a. The Commissioner of Human Services
6 shall apply for any State plan amendments or waivers as may be
7 necessary to implement the provisions of P.L. , c. (pending
8 before the Legislature as this bill) and to secure federal financial
9 participation for State Medicaid expenditures under the federal
10 Medicaid program.

11 b. The Commissioner of Corrections, in coordination with the
12 Commissioner of Human Services, shall promulgate rules and
13 regulations, pursuant to the "Administrative Procedure Act,"
14 P.L.1968, c.410 (C.52:14B-1 et seq.), necessary to effectuate the
15 provisions of P.L. , c. (pending before the Legislature as this
16 bill).
17

18 4. This act shall take effect on the first day of the 13th month
19 following the date of enactment.