

1348 Inmates of Public Institutions**12-01-96**

An inmate of a public institution is not eligible for Medicaid.

Added "Exception"

Added what a Public is

~~Federal regulations at 42 CFR 435.1009 define a public institution as an institution that is the responsibility of a governmental unit or over which a government unit exercises administrative control. This control can exist when a facility is actually an organizational part of a government unit, or when a governmental unit exercises final administrative control. Public institutions include county jails, state and federal penitentiaries, juvenile detention centers, and other correctional or holding facilities. Wilderness camps and boot camps are considered public institutions if a governmental unit has any degree of administrative control.~~

~~Federal regulations at 42 CFR 435.1009 define an inmate as an individual living in a public institution.~~

~~An individual who is an inmate in a penal or correctional institution is not Medicaid eligible, because the State or other governmental authority, by the act of incarceration, has assumed full responsibility for his/her care. If an the individual in a public institution inmate must be temporarily transferred to a medical treatment or evaluation facility, or if he/she is given temporary furlough, the individual is still considered to be under custody of the an "inmate" under custody of the penal or juvenile justice system and is not eligible for a excluded from the Medicaid payment program (See above Exception).~~

~~An individual Inmate status will be considered in a public institution until ~~continue until~~ the indictment against the individual is dismissed or until he/she is released from custody either as "not guilty" or for some other reason (bail, parole, pardon, suspended sentence, home release program, probation, etc.).~~

Added what a public institution is not