

# Medicaid Criminal Justice Reentry Services in Jails

October 24, 2024



**COLORADO**  
Department of Health Care  
Policy & Financing

# Agenda

1. Recap of last meeting
2. Continuous eligibility
3. CMS NOFO
4. Next steps for jail engagement

# 1115 Re-entry Waiver Services

<b>Eligible Population</b>	All Medicaid eligible individuals
<b>Eligible Settings</b>	Starting with DOC and DYS facilities July 2025 at the earliest, and expanding to local jails July 2026 at the earliest
<b>Eligibility Time frame</b>	90 days prior to release
<b>Covered Services</b>	<ul style="list-style-type: none"><li>• Medication-Assisted Treatment (medications and counseling, including long acting injectables) 90 days prior to release</li><li>• Care Coordination, physical and behavioral health assessments 90 days prior to release</li><li>• 30 day supply of prescription medications upon release</li></ul>

# 1115 Demonstration Criminal Justice Re-entry Program Goals

- Better connection to care, better health outcomes
- Reducing recidivism, health disparities, hospitalization, overdose & death
- Expanding total access to physical and behavioral health care
- Expand program funding to support this population by tracking and reinvesting any cost savings
- Benefits
  - Physical and behavioral health assessments & care coordination
  - Medication Assisted Treatment
  - 30 days supply of medications upon release

# Considerations for Jails

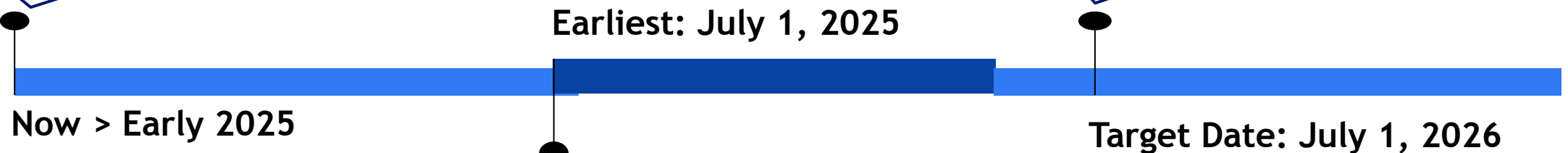
- [HB24-1045](#) (p. 13) requires jails offering Medicaid reentry services to demonstrate a commitment to diversion or deflection efforts
- Along with improving health outcomes and reducing recidivism, participating in offering Medicaid reentry services can serve as a long-term funding solution to support compliance with offering MAT
- There are almost always going to be additional administrative actions in order to bill for services - either for jails, employed/subcontracted providers

# Reentry Services Timeline

Implementation Planning & Federal Approval

Stakeholdering for jails and prisons

CMS approval anticipated early 2025



1115 Reentry Services

Services covered through the 1115 Reentry Waiver available in jails

1115 Reentry Services

Services covered through the 1115 Reentry Waiver are available in DOC and DYS facilities

# Preparing for 1115 Reentry Services

- Invest now in building up services that can be sustained by Medicaid funding in the future (MAT, care coordination, Rx)
- Connect to other HRSN efforts
  - ☐ Screening for health related social needs
  - ☐ Connecting to housing, nutrition supports
  - ☐ Reducing interpersonal violence
  - ☐ Increasing access to transportation
- Reinvestment Opportunity
  - ☐ State savings MUST maintain level of effort, meet CMS approval in a reinvestment plan.
  - ☐ How to track county savings?
  - ☐ How to reinvest savings locally within CMS guidance?



# Continuous Eligibility

**Current 1115 SUD waiver:** Covers Substance Use Disorder (SUD) services in Institutions for Mental Disease (IMDs) and other settings. CMS Approval period: January 1, 2021- December 31, 2025.

HCPF is preparing to submit a proposed 1115 SUD waiver amendment to CMS in April 2024. Key Provisions include:

- Continuous Eligibility Coverage for Children 0-3 Years of Age (HB23-1300)
- Continuous Eligibility Coverage for Adults Released from Colorado Department of Corrections Facilities (HB23-1300)
- Serious Mental Illness and Serious Emotional Disturbance (SMI & SED) Care in an IMD
- Criminal Justice Reentry Services



# Continuous Eligibility

This request seeks to:

- Ensure 12 months of continuous Medicaid coverage for adults leaving incarceration (DOC)
- Promote longer-term access to and continuity of physical and behavioral health care and care coordination
- Combat racial inequalities
- Improve short and long-term physical and behavioral health outcomes and reduce recidivism for adults leaving the criminal justice system

# HB23-1300 Continuous Eligibility Feasibility Study

## January 2026 Feasibility Study (no authority to implement)

- ✓ Continuous coverage for all children for 24 months
- ✓ Continuous coverage for children to age six
- ✓ Continuous Coverage for adults for 12 and 24 months
  - Under 33% FPL
  - Experiencing Homelessness
  - On Parole, Community Corrections, or released from a carceral setting
- ✓ Continuous Coverage for all adults for 12 months
- ✓ Health-Related Social Needs - housing and food security
  - Housing & Nutritional needs
  - Rental Assistance
- ✓ Health-Related Social Needs - focused populations
  - perinatal recipients
  - foster care youths, those transitioning out of foster care, and former foster care youth
  - people with substance use disorders
  - high-risk infants & children
  - needs of low-income individuals impacted by natural disasters

# CMS Funding Opportunity

On September 27 CMS issued a notice of funding opportunity ([NOFO](#)) to operationalize Section 206 of the Consolidated Appropriations Act. Through this NOFO, eligible state Medicaid and CHIP Agencies can apply for planning grants to develop operational capabilities to promote continuity of care for individuals in a public institution who are eligible for medical assistance under the state Medicaid program or Children's Health Insurance Program (CHIP).

## Key Details:

- **Application Deadline:**
  - Cohort 1: November 26, 2024, by 11:59pm EST
  - Cohort 2: March 17, 2025, by 11:59pm EST
- **Optional Notice of Intent Deadline:**
  - Cohort 1: October 28, 2024
  - Cohort 2: February 14, 2025
- **Expected Award Date:**
  - Cohort 1: February 15, 2025
  - Cohort 2: July 15, 2025
- **Expected Start Date:**
  - Cohort 1: March 1, 2025
  - Cohort 2: August 1, 2025
- **Award amount:** \$1,000,000 - \$5, 000,000
- **Number of Awards:** 56
- **Eligibility:** State governments, including the District of Columbia and territories, specifically Medicaid and CHIP agencies.

**HCPF is planning to apply in Cohort 2 for this funding opportunity**

# Engagement with Jails

- HCPF staff are presenting at the January quarterly JBBS meeting to engage jails and discuss how they want to engage moving forward
- Who else from the jails need to be involved that we aren't capturing?
  - Share Survey: [Jail Contact for Medicaid Reentry Services](#)

# Resources and Follow Up

- [SB22-196 Report](#) and [Alternative Plan](#) are located on the [hcpf.colorado.gov/legislator-resource-center](https://hcpf.colorado.gov/legislator-resource-center) webpage in the “reports” section
- [HB24-1045](#)
- [Sign up](#) for HCPF criminal justice related updates
- Health First Colorado and Criminal Justice Involved Populations [webpage](#)

# Contact Info

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