

**SENATE**  
**STATE OF MINNESOTA**  
**EIGHTY-EIGHTH LEGISLATURE**

**S.F. No. 777**

(SENATE AUTHORS: HAYDEN, Sheran, Lourey and Hall)

DATE	D-PG	OFFICIAL STATUS
02/25/2013	393	Introduction and first reading Referred to Health, Human Services and Housing
03/21/2013	1396a	Comm report: To pass as amended and re-refer to Finance

1.1 A bill for an act  
 1.2 relating to human services; providing medical assistance eligibility for inmates  
 1.3 while they are inpatients in a medical institution; amending Minnesota Statutes  
 1.4 2012, section 256B.055, subdivision 14.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 256B.055, subdivision 14, is amended to  
 1.7 read:

1.8 Subd. 14. **Persons detained by law.** (a) Medical assistance may be paid for an  
 1.9 inmate of a correctional facility who is conditionally released as authorized under section  
 1.10 241.26, 244.065, or 631.425, if the individual does not require the security of a public  
 1.11 detention facility and is housed in a halfway house or community correction center, or  
 1.12 under house arrest and monitored by electronic surveillance in a residence approved  
 1.13 by the commissioner of corrections, and if the individual meets the other eligibility  
 1.14 requirements of this chapter.

1.15 (b) An individual who is enrolled in medical assistance, and who is charged with a  
 1.16 crime and incarcerated for less than 12 months shall be suspended from eligibility at the  
 1.17 time of incarceration until the individual is released. Upon release, medical assistance  
 1.18 eligibility is reinstated without reapplication using a reinstatement process and form, if the  
 1.19 individual is otherwise eligible.

1.20 (c) An individual, regardless of age, who is considered an inmate of a public  
 1.21 institution as defined in Code of Federal Regulations, title 42, section 435.1010, and  
 1.22 who meets the eligibility requirements in section 256B.056, is not eligible for medical  
 1.23 assistance, except for covered services received while an inpatient in a medical institution  
 1.24 as defined in the Code of Federal Regulations, title 42, section 435.1010. Security issues

2.1 related to the inpatient treatment of an inmate are the responsibility of the entity with  
2.2 jurisdiction over the inmate. The non federal share of the cost of the services shall be paid  
2.3 by the entity with jurisdiction over the inmate.

2.4 **EFFECTIVE DATE.** This section is effective January 1, 2014.