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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-FIFTH
SESSION

HOUSE FILE No. **1619**

March 1, 2007

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The bill was read for the first time and referred to the Committee on Finance

1.1 A bill for an act
1.2 relating to human services; allowing incarcerated individuals remain eligible for
1.3 medical assistance until conviction; amending Minnesota Statutes 2006, section
1.4 256B.055, subdivision 14.

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

1.6 Section 1. Minnesota Statutes 2006, 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 eligible for medical assistance, and who is charged with a
1.16 crime and incarcerated but not convicted, continues to be eligible for medical assistance
1.17 until the individual is convicted. Medical assistance must be suspended at the time of
1.18 incarceration as required under paragraph (c). Upon release, the individual continues
1.19 to be eligible for medical assistance, without reapplication, until the individual's next
1.20 redetermination review.

1.21 ~~(b)~~ (c) An individual, regardless of age, who is considered an inmate of a public
1.22 institution as defined in Code of Federal Regulations, title 42, section 435.1009, is not
1.23 eligible for medical assistance.