

**SENATE  
STATE OF MINNESOTA  
NINETIETH SESSION**

**S.F. No. 1613**

(SENATE AUTHORS: LIMMER)

DATE  
03/01/2017

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OFFICIAL STATUS  
Introduction and first reading  
Referred to Judiciary and Public Safety Finance and Policy

1.1 A bill for an act  
1.2 relating to health care; authorizing an entity with jurisdiction over an inmate to  
1.3 apply for medical assistance on behalf of the inmate; amending Minnesota Statutes  
1.4 2016, section 256B.055, subdivision 14.

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

1.6 Section 1. Minnesota Statutes 2016, section 256B.055, subdivision 14, is amended to read:

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

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

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

2.1 to the inpatient treatment of an inmate are the responsibility of the entity with jurisdiction  
2.2 over the inmate.

2.3 (d) An entity with jurisdiction over the inmate is authorized to act on behalf of the inmate  
2.4 for the purpose of applying for medical assistance under paragraph (c) if the inmate has  
2.5 designated the entity as an authorized representative. The person filling out the application  
2.6 on behalf of the inmate shall be presumed to be sufficiently aware of the inmate's  
2.7 circumstances and shall ensure that the information submitted on the application is accurate  
2.8 to the best of the person's knowledge.

2.9 **EFFECTIVE DATE.** This section is effective the day following final enactment.