

Approved: Feb. 3, 2009

Date

MINUTES OF THE SENATE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Roger Reitz at 9:30 a.m. on January 26, 2009, in Room 446-N of the Capitol. Senator Kultala moved to approve the January 20th minutes. Senator Ostmeyer seconded the motion. Motion carried.

All members were present.

Committee staff present:

Noell Memmott, Committee Assistant
Martha Dorsey, Kansas Legislative Research Department
Reed Holwegner, Kansas Legislative Research Department
Mike Heim, Office of the Revisor of Statutes
Ken Wilke, Office of the Revisor of Statutes

Others attending:

See attached list.

Overview:

League of Municipalities, presented by Don Moler, Executive Director
Kansas Association of Counties, Randall Allen, Executive Director

Bill introduction:

Relating to suspension of Medicaid, Melissa Wangemann, Legislative Service Director/General Counsel, Kansas Association of Counties (Attachment 1).

Senator Wagle moved to introduce a bill to require suspension—rather than termination—of Medicaid eligibility for incarcerated inmates, motion seconded by Senator Kultala. Motion carried.

The next meeting is scheduled for February 2, 2009.

The meeting was adjourned at 10:12 a.m.



MEMORANDUM

TO: CHAIRMAN REITZ AND MEMBERS
OF THE SENATE LOCAL GOVERNMENT COMMITTEE

FROM: MELISSA WANGEMANN, GENERAL COUNSEL
KANSAS ASSOCIATION OF COUNTIES

DATE: 26 JAN 2009

RE: BILL INTRODUCTION ON SUSPENSION OF
MEDICAID BENEFITS

The Kansas Association of Counties is requesting that the Senate Local Government Committee introduce legislation to require suspension—rather than termination—of Medicaid eligibility for incarcerated inmates. The purpose of the legislation is to make it faster and easier for the released inmate to obtain Medicaid coverage upon release.

Federal law (Social Security Act) precludes the use of Medicaid funds for health care or services to those housed in public institutions. Most states *terminate* the person's Medicaid eligibility upon entry into the penal institution in response to this federal law. The Centers for Medicaid and State Operations (CMS) issued a memorandum to State Medicaid Directors in 2004 saying that the Medicaid payment exclusions for incarcerated individuals does not affect the eligibility of those individuals, and **encouraged states to adopt a policy of suspending rather than terminating Medicaid coverage upon incarceration.**

KAC believes proper health care is necessary upon re-entry into the community after discharge. Otherwise, the community will see a higher use of hospital-based care, increased mental illness, destabilization of health and medical problems, infection of family and others with communicable diseases, and ultimately recidivism. Quick re-enrollment in Medicaid without recertification ensures quicker and easier access to health care and will go a long way in preventing these problems.

300 SW 8th Avenue
3rd Floor
Topeka, KS 66603-3912
785•272•2585
Fax 785•272•3585

Senate Local Government

1/26/09

Attachment 1