



NEW YORK
CITY BAR

Legislative Affairs
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CORRECTIONS COMMITTEE

**MEDICAID PILOT PROJECT FOR INDIVIDUALS TRANSITIONING HOME
AFTER INCARCERATION**

A.10864

Assembly Member Aubry

AN ACT to amend the Social Services Law in Relation to Eligibility for Medical Assistance.

THIS BILL IS APPROVED

The Corrections Committee of the New York City Bar Association supports Assembly Bill 10864. This bill would ensure immediate access to health care coverage for certain people leaving prison, by permitting eligible people enrolled at pilot projects in selected state prison facilities to complete necessary paperwork for enrolling in Medicaid prior to their release. This would ensure that Medicaid coverage would be in place at the time these individuals leave prison, allowing for a seamless transition to community care. It would ensure that Medicaid-eligible people with chronic health needs, such as hepatitis-C, hypertension or mental illness, would be immediately entitled to medications and care without waiting 45 to 90 days, as many now do, to have their Medicaid applications approved. It would also allow those individuals in need of drug treatment to access it immediately upon leaving state prison facilities. Participation in drug treatment programs is sometimes a condition of parole, which makes immediate Medicaid access for eligible persons even more necessary.

Funding for the Medicaid enrollment pilot projects has already been allocated in this year's budget. This bill would put the infrastructure in place to permit the New York State Department of Health to operate the pilot projects.

Studies show, and common sense dictates, that a seamless transition to Medicaid upon leaving prison will help reduce recidivism and increase public safety. People who lack Medicaid insurance are unlikely to receive medical care they need, making a job search,

the search for permanent housing and reentry into the community difficult and in some cases impossible. Because they cannot access substance abuse, mental health and other rehabilitative services without a means to pay for them, people without Medicaid coverage go untreated for any number of chronic conditions.

New York enacted legislation in 2007, which the New York City Bar Association supported, requiring the state to suspend, rather than terminate, Medicaid coverage for people entering prison or jail who had Medicaid coverage at that time. The current bill will build on last year's sensible legislation. Only 20 to 25% of inmates have Medicaid at the time of their incarceration, but a great many more are both eligible for and need this coverage upon their release. All the reasons that caused this Legislature to pass the Medicaid suspension legislation are present here; with the added incentive that funding for the pilot projects has already been allocated.

The New York City Bar Association strongly urges you to introduce and support this critical legislation.