| 1 | SENATE BILL NO. 1439 |
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| 2 | AMENDMENT IN THE NATURE OF A SUBSTITUTE |
| 3 | (Proposed by the Senate Committee on Education and Health |
| 4 | on) |
| 5 | (Patron Prior to SubstituteSenator Locke) |
| 6 | A BILL to amend and reenact § 32.1-325.04 of the Code of Virginia, relating to pregnant inmates; |
| 7 | coverage through state plan for medical assistance. |
| 8 | Be it enacted by the General Assembly of Virginia: |
| 9 | 1. That § 32.1-325.04 of the Code of Virginia is amended and reenacted as follows: |
| 10 | § 32.1-325.04. Eligibility for medical assistance; individuals confined in state correctional |
| 11 | facilities. |
| 12 | A. The Department shall coordinate with the Department of Corrections to identify persons in the |
| 13 | custody of state correctional facilities who are currently enrolled in the Commonwealth's program of |
| 14 | medical assistance or who may be eligible for services under the state plan for medical assistance upon |
| 15 | release and shall, prior to the release of such persons, (i) review the eligibility of currently enrolled persons |
| 16 | to ensure continued access to medical assistance upon release or (ii) enroll persons not previously enrolled |
| 17 | who meet eligibility criteria in the Commonwealth's program of medical assistance services; however, no |
| 18 | services under the state plan for medical assistance shall be furnished to any person while he is confined |
| 19 | in a state correctional facility unless federal financial participation is available to pay for the cost of the |
| 20 | services provided. |
| 21 | B. In cases of pregnant incarcerated persons, the Department shall coordinate with the Department |
| 22 | of Corrections to identify persons in the custody of state correctional facilities who are currently enrolled |
| 23 | in the Commonwealth's program of medical assistance or who may be eligible for services under the state |
| 24 | plan for medical assistance and ensure that those persons released on medical furlough for the purpose of |
| 25 | giving birth or other pregnancy-related care understand the steps necessary to obtain coverage for such |
| 26 | care prior to the medical furlough. |

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| C. An individual who is enrolled in the Commonwealth's program of medical assistance services |
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| at the time of release from the custody of a state correctional facility shall be eligible for services upon |
| release and shall continue to be eligible for services under the state plan for medical assistance until such |
| time as the person is determined to no longer be eligible for medical assistance. |

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