

SENATE BILL NO. 1439

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Education and Health

on _____)

(Patron Prior to Substitute--Senator Locke)

A BILL to amend and reenact § 32.1-325.04 of the Code of Virginia, relating to pregnant inmates; coverage through state plan for medical assistance.

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325.04 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325.04. Eligibility for medical assistance; individuals confined in state correctional facilities.

A. The Department shall coordinate with the Department of Corrections to identify persons in the custody of state correctional facilities who are currently enrolled in the Commonwealth's program of medical assistance or who may be eligible for services under the state plan for medical assistance upon release and shall, prior to the release of such persons, (i) review the eligibility of currently enrolled persons to ensure continued access to medical assistance upon release or (ii) enroll persons not previously enrolled who meet eligibility criteria in the Commonwealth's program of medical assistance services; however, no services under the state plan for medical assistance shall be furnished to any person while he is confined in a state correctional facility unless federal financial participation is available to pay for the cost of the services provided.

B. In cases of pregnant incarcerated persons, the Department shall coordinate with the Department of Corrections to identify persons in the custody of state correctional facilities who are currently enrolled in the Commonwealth's program of medical assistance or who may be eligible for services under the state plan for medical assistance and ensure that those persons released on medical furlough for the purpose of giving birth or other pregnancy-related care understand the steps necessary to obtain coverage for such care prior to the medical furlough.

