

Information Memorandum Transmittal Aging and People with Disabilities



Erika Miller

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Number: APD-IM-20-011

Issue date: 1/30/2020

Topic: Medical Benefits

Due date:

Subject: Medicaid Eligibility for Residents of DOJ Residential Facilities

Applies to (check all that apply):

- | | |
|--|---|
| <input type="checkbox"/> All DHS employees | <input type="checkbox"/> County Mental Health Directors |
| <input checked="" type="checkbox"/> Area Agencies on Aging: Type B | <input type="checkbox"/> Health Services |
| <input checked="" type="checkbox"/> Aging and People with Disabilities | <input type="checkbox"/> Office of Developmental Disabilities Services (ODDS) |
| <input type="checkbox"/> Self Sufficiency Programs | <input type="checkbox"/> ODDS Children's Intensive In Home Services |
| <input type="checkbox"/> County DD program managers | <input type="checkbox"/> Stabilization and Crisis Unit (SACU) |
| <input type="checkbox"/> Support Service Brokerage Directors | <input type="checkbox"/> Other (<i>please specify</i>): |
| <input type="checkbox"/> ODDS Children's Residential Services | |
| <input type="checkbox"/> Child Welfare Programs | |

Message:

Residents of Halfway Houses, Transition Centers, and other DOJ Supervised Community Residential Facilities are sometimes denied Medicaid due to incorrectly being considered an inmate. Such facilities can be publicly or privately operated and often house individuals with a variety of justice system statuses. They are not public institutions but do often have house rules that require residents to return at night.

It is important to gather more information about the facility and the individual's justice system status prior to determining if an applicant is ineligible due to incarceration.

- A resident of one of these facilities who is on parole or probation is **not an inmate**. Example: Clackamas County Residential Center requires its residents to be on parole or probation before entering their facility. None of their residents are considered inmates.
- A resident who is on work-release and works during the day but is required to return to the residential facility at night due to curfew is **not an inmate** because they are not returning to a public institution.

- An individual who is court ordered to reside in one of these facilities is considered an **inmate**.
 - Exception: Those court ordered to reside in Northwest Regional Reentry Center for community restoration (referred to as the Aid & Assist or 370 population) are **not inmates**.

Please review OAR [461-135-0950](#) and the [Special Considerations for Incarcerated Clients Worker Guide](#) for more details.

If you have any questions about this information, contact:

Contact(s): APD Medicaid Financial Policy Unit	
Phone:	Fax:
Email: APD.MedicaidPolicy@dhsosha.state.or.us	