

## **HR 4390: The At-Risk Youth Medicaid Protection Act**

Every day, youth who enter detention centers, jails, and prisons with Medicaid coverage leave those same facilities without the essential medical care they need to address a variety of physical and mental health needs. The majority of states terminate enrollment for medical assistance, even in the absence of a federal mandate requiring such action. A disproportionate number of youth in the juvenile justice system come from impoverished backgrounds and cope with a myriad of mental disorders and health ailments. According to research by the National Conference of State Legislatures, as many as 70% of youth in the juvenile justice system suffer from a mental disorder. As many as one in five suffer from a mental illness severe enough to impair their ability to function adequately. Many meet the criteria for multiple disorders. The At-Risk Youth Medicaid Protection Act seeks to ensure that children enrolled in the Medicaid program receive coverage as soon as they are released from custody.

### **Why Legislation is Needed**

Currently, federal law prohibits states from receiving federal financial participation for individuals covered by Medicaid while they are incarcerated. It does not, however, require that states terminate Medicaid enrollment for youth during this period. Children who are covered by Medicaid and later incarcerated can end up with their enrollment suspended or terminated by the state as a result. Although states are beginning to suspend enrollment instead of terminating it, only a handful of states do so. Delays in reenrolling children released from custody can cause delays in coverage, preventing these children from receiving timely and much-needed health and mental care.

### **Summary of the Legislation**

States must stop terminating enrollment for incarcerated children and should be required to automatically restore their coverage after their release from custody. A number of states and organizations are already taking these actions to prevent gaps in medical assistance after children are released from custody, but more need to follow their lead.

The bill would help ensure that children receive health and mental care immediately upon release by:

- Prohibiting states from terminating enrollment for eligible youth in state plans for medical assistance while in custody;
- Requiring states to automatically restore enrollment in medical assistance plans upon release by taking all necessary steps to ensure that enrollment is effective upon release;
- Requiring states to process applications for medical assistance submitted by or on behalf of a child;
- Making access to medical assistance for children under foster care consistent with the Affordable Care Act by extending the age of eligibility to 26.

If you have any questions, please contact Virginia Zigras in Rep. Tony Cardenas; office at (202) 225-6131 or [Virginia.Zigras@mail.house.gov](mailto:Virginia.Zigras@mail.house.gov).