



NEWS RELEASE

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NACo applauds federal guidelines to help counties use Medicaid to improve health outcomes for people released from jails

Washington, D.C. — The National Association of Counties (NACo) today commended the U.S. Department of Health and Human Services (HHS) for issuing new [guidance](#) that reaffirms and clarifies important ways Medicaid can be used for justice-involved individuals in community settings. Released as part of [National Reentry Week](#), the guidance updates policy issued in 1997:

- Clarifies that Medicaid can continue to be used for services provided to eligible individuals on parole, probation and home confinement.
- Extends eligibility to those living in corrections supervised community residential facilities, also known as halfway houses.
- Maintains the ability of counties to seek federal Medicaid reimbursement for inpatient hospital services provided to inmates (also known as the [Medicaid inpatient exception](#)).
- Acknowledges that gaps in health coverage lead to poor outcomes and increased recidivism, and reaffirms that states should suspend, instead of terminate, Medicaid benefits for inmates.
- Calls on states to take action to support connecting inmates to services when they are released from custody.

“We’re very pleased that HHS heard the voices of counties and issued guidance that makes sense from a community and economic perspective,” said NACo President Sallie Clark. “The new guidelines will assist counties by improving physical and mental health outcomes for individuals reentering communities. This is a big step forward in our work to make our neighborhoods safer and more secure while advancing individuals’ health, reducing the revolving door of recidivism and lowering costs to counties and taxpayers.”

America’s 3,069 counties invest \$83 billion annually in community health systems and another \$93 billion annually in justice and public safety services, including the entire cost of medical care for the 11.4 million individuals who pass through 2,875 county-operated jails each year.

The U.S. Constitution requires counties to provide health care for individuals in our custody, and the Medicaid statute prohibits federal Medicaid reimbursement for services provided to inmates of public institutions, a policy known as the Medicaid inmate payment exclusion (inmate exclusion). The inmate exclusion even applies to the estimated two-thirds of the jail population who are pre-trial and presumed innocent.

“It’s important that we help connect individuals to appropriate health and substance abuse services and that states suspend, not terminate, Medicaid benefits for our jail inmates,” said Clark.

NACo pledged to continue efforts with HHS to find additional ways to improve health services for justice-involved individuals, both in county jails and in communities, while also providing savings to local taxpayers and using necessary resources to protect public safety.

For more information, click [here](#).

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The [National Association of Counties](#) (NACo) unites America’s 3,069 county governments. Founded in 1935, NACo brings county officials together to advocate with a collective voice on national policy, exchange ideas and build new leadership skills, pursue transformational county solutions, enrich the public’s understanding of county government and exercise exemplary leadership in public service.