



DATE: April 13, 2023

Medi-Cal Eligibility Division Information Letter No.: I 23-24

TO: ALL COUNTY WELFARE DIRECTORS
ALL COUNTY ADMINISTRATIVE OFFICERS
ALL COUNTY MEDI-CAL PROGRAM SPECIALISTS/LIAISONS
ALL COUNTY CHIEF PROBATION OFFICERS
ALL COUNTY YOUTH CORRECTIONAL FACILITIES
ALL COUNTY SHERIFFS AND UNDERSHERIFFS
ALL COUNTY CORRECTIONAL FACILITIES/COUNTY JAILS

SUBJECT: COUNTY COMPLIANCE DATE AND MONITORING PLAN FOR CALAIM MANDATED PRE-RELEASE MEDI-CAL APPLICATION PROCESS-RELATED TO [ACWDL 22-27](#)
(REFERENCE: ASSEMBLY BILL 133 AND CALIFORNIA PENAL CODE SECTION 4011.11)

The purpose of this letter is for the Department of Health Care Services (DHCS) to notify counties that they must comply with establishing the mandatory Pre-Release Medi-Cal Application Process by **June 30, 2023**, and to communicate to DHCS' approach for monitoring and oversight activities for County Correctional Facilities, County Youth Correctional Facilities, and County Welfare Departments (CWDs), including overall compliance with the mandated processes.

The mandatory Pre-Release Medi-Cal Application Process was codified by [Assembly Bill \(AB\) 133](#) (Chapter 143, Statutes of 2021), entitled the "California Advancing and Innovating Medi-Cal (CalAIM) Initiative". This process helps ensure that, if determined eligible, all incarcerated adults and youths within County Correctional Facilities and County Youth Correctional Facilities have access to needed Medi-Cal covered services and care upon their reentry into the community.

BACKGROUND

Effective January 1, 2023, Penal Code Section 4011.11 requires all counties to implement a Pre-Release Medi-Cal Application Process to ensure all inmates and youth released from County Correctional Facilities and County Youth Correctional Facilities receive timely access to Medi-Cal services, if otherwise eligible. DHCS issued [All County Welfare Directors Letter \(ACWDL\) 22-27](#) to establish a pre-release Medi-Cal application policy for both County Correctional Facilities and County Youth Correctional Facilities and/or their designees and updated existing policy for CWDs. Counties with existing Pre-Release Application processes that met the CalAIM Pre-Release Medi-Cal Application process requirements may leverage and/or build upon their existing

processes to comply with this mandate.

As outlined in Penal Code Section 4011.11 (h)(1), the board of supervisors in each county, in consultation with the county sheriff, and chief probation officer respectively, shall designate an entity or entities to assist county jail inmates and youths with submitting an application for or otherwise assisting their enrollment in, a health insurance affordability program consistent with federal requirements. The designated entity or entities (CWDs, County Correctional Facilities/County Youth Correctional Facilities, Community Based Organizations (CBOs), or other contracted entities) must collaborate to enroll inmates and youth in health insurance affordability programs on or before their date of release by developing a process to inform CWDs of the incarceration status of their inmates and youths so that the CWDs can appropriately suspend and activate (unsuspend) Medi-Cal coverage for beneficiaries.

In December 2022, County Correctional Facilities/County Youth Correctional Facilities and CWDs were asked to complete and submit a Pre-Release Application Mandate Readiness Assessment to attest to their organization's current Pre-Release Medi-Cal Application processes or processes that were planned to be implemented by January 1, 2023. DHCS used the attestations to gauge overall readiness for compliance with the mandate and provided technical assistance to those counties that requested it via their Readiness Assessment.

DATE OF COMPLIANCE FOR PRE-RELEASE APPLICATION MANDATE

DHCS requires all counties to be in full compliance with the CalAIM Medi-Cal Pre-Release Application mandate by **June 30, 2023**. Counties that are not in compliance by this date will be subjected to an ongoing Plan of Action and Milestones (POAM), detailing a concrete roadmap to becoming fully compliant. Counties participating in the Providing Access and Transforming Health (PATH) Program could be an acceptable mitigation under the POAM.

APPROVAL OF CALIFORNIA'S MEDICAID 1115 DEMONSTRATION WAIVER

On January 26, 2023, California became the first state in the nation to receive federal approval to offer a targeted set of Medicaid services to youth and adults in state prisons, county jails, and youth correctional facilities for up to 90 days prior to release. Through a federal [Medicaid 1115 demonstration waiver](#) approved by the Centers for Medicare and Medicaid Services (CMS), DHCS will partner with state agencies, counties, and community-based organizations to establish a coordinated community reentry process that will assist people leaving incarceration in connecting to the physical and behavioral health services they need prior to release and reentering their communities.

Enrolling individuals reentering the community from correctional facility settings in Medi-Cal is key to ensuring this population has access to the 90-day pre-release

services requested in California's 1115 waiver. The mandatory pre-release application process allows justice-involved populations access to critical medical and behavioral health services upon release into the community. This helps California establish a continuum of care between correctional facility settings and the community, with the overall goal of improving health outcomes and reducing the demand for costly and inefficient services.

REPORT OF PROGRESS ON IMPLEMENTATION EFFORTS

Since the Readiness Assessments were submitted to DHCS in December 2022, many counties have made substantial progress in implementing or improving their Pre-Release Application processes. To help DHCS understand current implementation efforts, all CWDs, County Sheriff's Departments, and County Probation Departments must complete the enclosed Current Progress Report and submit it to DHCS by **May 31, 2023**. A Report for each individual correctional facility is not required. CWDs, County Correctional Facilities, and Youth Correctional Facilities may submit progress reports and data reporting jointly. DHCS will use the Current Progress Reports to monitor implementation progress and to identify areas in which the Department could provide technical assistance to support county partners' implementation efforts.

Counties that receive Round 2 funds under the PATH Program will be required to complete an Interim Progress Report detailing completed implementation efforts to obtain the remaining 20% of their requested funds. The Current Progress Report asks similar questions about pre-release mandate processes and counties can leverage responses from their Current Progress Report to assist with completing the Interim Progress Report for PATH.

NOTE: DHCS intends to keep Current Progress Report responses confidential pursuant to the Official Information Privilege (Cal. Evid. Code, § 1040).

COUNTY-LEVEL REPORTING OF PRE-RELEASE APPLICATION DATA

To track implementation progress and overall compliance with the state Pre-Release Medi-Cal application mandate, DHCS requires all counties to track Pre-Release application data every month (i.e., measures will be reflective of month-long time periods, see required metrics below) and submit this data to DHCS on a quarterly basis. Data submissions will be due the first of the month following the end of the quarter.

The first report of pre-release application data, reflective of the third quarter reporting period (June 1 through August 31, 2023) will be due to DHCS by **October 1, 2023**. DHCS will require CWDs, County Correctional Facilities, and County Youth Correctional Facilities to submit quarterly data reports on an ongoing basis (i.e., DHCS has not set an end date for data submissions). Quarterly reports can be submitted to DHCS via

email at: CalAIMJusticePreReleaseApps@dhcs.ca.gov in the format that is easiest for the submitter (e.g., detailed in the body of the email, on a spreadsheet, or pdf report).

Quarter	Reporting Period	Date Due to DHCS
3 rd Quarter of 2023	June 1 to August 31, 2023	October 1, 2023
4 th Quarter of 2023	September 1 to November 30, 2023	January 1, 2024
1 st Quarter of 2024	December 1 to February 29, 2024	April 1, 2024
2 nd Quarter of 2024	March 1 to May 31, 2024	July 1, 2024
3 rd Quarter of 2024	June 1 to August 31, 2024	October 1, 2024
4 th Quarter of 2024	September 1 to November 30, 2024	January 1, 2025
1 st Quarter of 2025	December 1 to February 28, 2025	April 1, 2025

The following information should be reported to DHCS for each month:

County Correctional Facilities and County Youth Correctional Facilities:

- Average number of individuals incarcerated within the facility/facilities per month
- Total number of individuals screened for Medi-Cal within the facility/facilities per month
- Total number of individuals who declined to apply for Medi-Cal per month
- Total number of Pre-Release Medi-Cal applications submitted

County Welfare Departments:

- Total number of Pre-Release Medi-Cal applications received per month
- Total number of Pre-Release applications approved per month
- Total number of Pre-Release applications denied per month

For CalAIM Justice Involved updates and additional information please visit <https://www.dhcs.ca.gov/CalAIM/Pages/Justice.aspx>.

If you have any questions regarding this letter, or if we can provide further information, please contact DHCS by email at CalAIMJusticePreReleaseApps@dhcs.ca.gov.

Original Signed By

Yingjia Huang
Assistant Deputy Director
Health Care Benefits and Eligibility
Department of Health Care Services

Enclosure

**CWD and CCFs' Report of Progress on Implementation Efforts for the
CalAIM Pre-Release Medi-Cal Application Mandate**

Organizational Information	
Organization Type:	<p>County Sheriff's Department</p> <p>County Probation Department</p> <p>County Welfare Department</p>
Name of Organization(s):	
Name of Person Completing Report:	
Title of Person Completing Report:	
Please indicate if you are a designated entity completing this progress report on behalf of a correctional agency:	<p>Yes</p> <p>No</p>
Name of Designated Entity (if applicable):	
Date the Report was Completed:	

Responsibilities and Tasks Associated with the Pre-Release Application Mandate

For each responsibility/task associated with the Pre-Release Application and Suspension of Medi-Cal benefit processes, please indicate whether each task has been implemented within your organization as of the date of this report. If it has been implemented, please provide a summary of how it has been operationalized. If it has not yet been implemented, please describe how your organization plans to implement the requirement and the date by which it is expected to be implemented

All CWDs, County Sheriff's Departments, and County Probation Departments must complete the enclosed Current Progress Report and submit it to DHCS by **May 31, 2023**. A Report for each individual correctional facility is not required.

NOTE: DHCS intends to keep progress report responses confidential pursuant to the Official Information Privilege (Cal. Evid. Code, § 1040).

**CWD and CCFs' Report of Progress on Implementation Efforts for the
CalAIM Pre-Release Medi-Cal Application Mandate**

County Sheriff/County Probation Responsibilities and Tasks:

1. Screen individuals or youth within County Correction Facilities/County Youth Correctional Facilities (CCFs) who are interested in enrolling in as part of the intake process or shortly thereafter.

Yes No Expected date of implementation:

2. Verify Medi-Cal enrollment through DHCS enrollment verification system (EVS) or in collaboration with County Welfare Department (CWD) and identify individuals or youth who are not currently enrolled in Medi-Cal. CCFs must have processes in place to obtain consent to submit a Medi-Cal application on behalf of youth under 18 years old.

Yes No Expected date of implementation:

3. Complete and submit the Medi-Cal application. CCFs shall submit the Medi-Cal application at least 135 days before release if the release date is known.

Yes No Expected date of implementation:

**CWD and CCFs' Report of Progress on Implementation Efforts for the
CalAIM Pre-Release Medi-Cal Application Mandate**

4. Establish methods of communication with CWD to troubleshoot application questions and requests for follow-up and other necessary information for CWD to process the pre-release application.

Yes No Expected date of implementation:

5. Ensure the individual has their CWD's contact information upon release.

Yes No Expected date of implementation:

6. Notify CWDs as soon as the CCFs become aware of the expected release date for an inmate or youth. Ideally, within a week of the expected release date, and no later than one business day before release, except in the case of unplanned releases. In the case of unplanned releases, the CCFs shall provide as much notice as possible, so that the CWD can close the incarceration period and activate (unsuspend) available benefits, as appropriate.

Yes No Expected date of implementation:

**CWD and CCFs' Report of Progress on Implementation Efforts for the
CalAIM Pre-Release Medi-Cal Application Mandate**

7. Both CWDs and CCFs shall enter into written agreements that impose, at a minimum, the same restrictions and conditions with respect to Medi-Cal personally identifiable information (Medi-Cal PII) that apply to the CWD through the Medi-Cal Privacy and Security Agreement between the CWD and DHCS, released via ACWDL 19-16 or any applicable superseding ACWDL.

Yes No Expected date of implementation:

County Welfare Departments Responsibilities and Tasks

1. As needed, the CWD shall collaborate with the CCFs to verify the individual's current Medi-Cal enrollment status in order to assist the CCFs with identifying individuals or youths that require a pre-release Medi-Cal application.

Yes No Expected date of implementation:

2. Receive and process pre-release applications for the CCFs. CWDs must accept Medi-Cal applications via mail, online, phone, fax, or in person.

Yes No Expected date of implementation:

**CWD and CCFs' Report of Progress on Implementation Efforts for the
CalAIM Pre-Release Medi-Cal Application Mandate**

3. Establish methods of communication with the CCFs to troubleshoot application questions and requests for follow-up or other necessary information to process the application.

Yes No Expected date of implementation:

4. Notify the CCFs if Medi-Cal determination is not expected to be complete before release (if the release date is known) and notify the applicants and CCFs of the outcome of their eligibility determination, provide all necessary Medi-Cal documentation (i.e., Notices of Action), and issue a Benefits Identification Card (BIC).

Yes No Expected date of implementation:

5. Ensure that the CCFs have appropriate contact information for the CWD to ensure the individual can contact the CWD, if needed.

Yes No Expected date of implementation:

**CWD and CCFs' Report of Progress on Implementation Efforts for the
CalAIM Pre-Release Medi-Cal Application Mandate**

6. Once notified of an individual's release, the CWD must activate (i.e., unsuspend) Medi-Cal benefits within 1 business day of the release by reporting the release date in MEDS. In cases where immediate need for services must be established, the CWD shall follow the standard Immediate Need process to ensure the individual's benefits are active on the day of their release.

Yes No Expected date of implementation:

7. Both CWDs and CCFs shall enter into written agreements that impose, at a minimum, the same restrictions and conditions with respect to Medi-Cal personally identifiable information (Medi-Cal PII) that apply to the CWD through the Medi-Cal Privacy and Security Agreement between the CWD and DHCS, released via ACWDL 19-16 or any applicable superseding ACWDL.

Yes No Expected date of implementation: