

Medicaid for Inmates

Medicaid can save states millions of dollars. Really!

A little-known federal rule, adopted in 1997, allows Medicaid—a jointly funded state-federal health program—to cover some prisoners’ health care costs previously paid by state funds. To be eligible, inmates must be admitted to inpatient facilities—hospitals, nursing homes, intermediate care or juvenile psychiatric hospitals—for more than 24 hours and they must meet the eligibility criteria of the state’s Medicaid program. This rule changes the 1965 law, which dropped Medicaid for anyone entering a state prison or mental health institution, local jail or juvenile detention center.

“At first glance, it’s a hard policy to sell,” says Donna Strugar-Fritsch, a consultant with Health Management Associates, because it can be complicated to set up and “everyone assumes that the Medicaid budget will increase.” The portion of the inmate’s medical costs not paid by the federal Medicaid share, however, is covered by the state’s corrections department or by the county, depending on whether it’s a state- or county-run facility. As a result, there is no additional cost to the state’s share of Medicaid.

The complexity in setting up the program may well be worth it, especially if the population covered by Medicaid expands in 2014 under federal health reform to all Americans with incomes up to 133 percent of federal poverty guidelines.

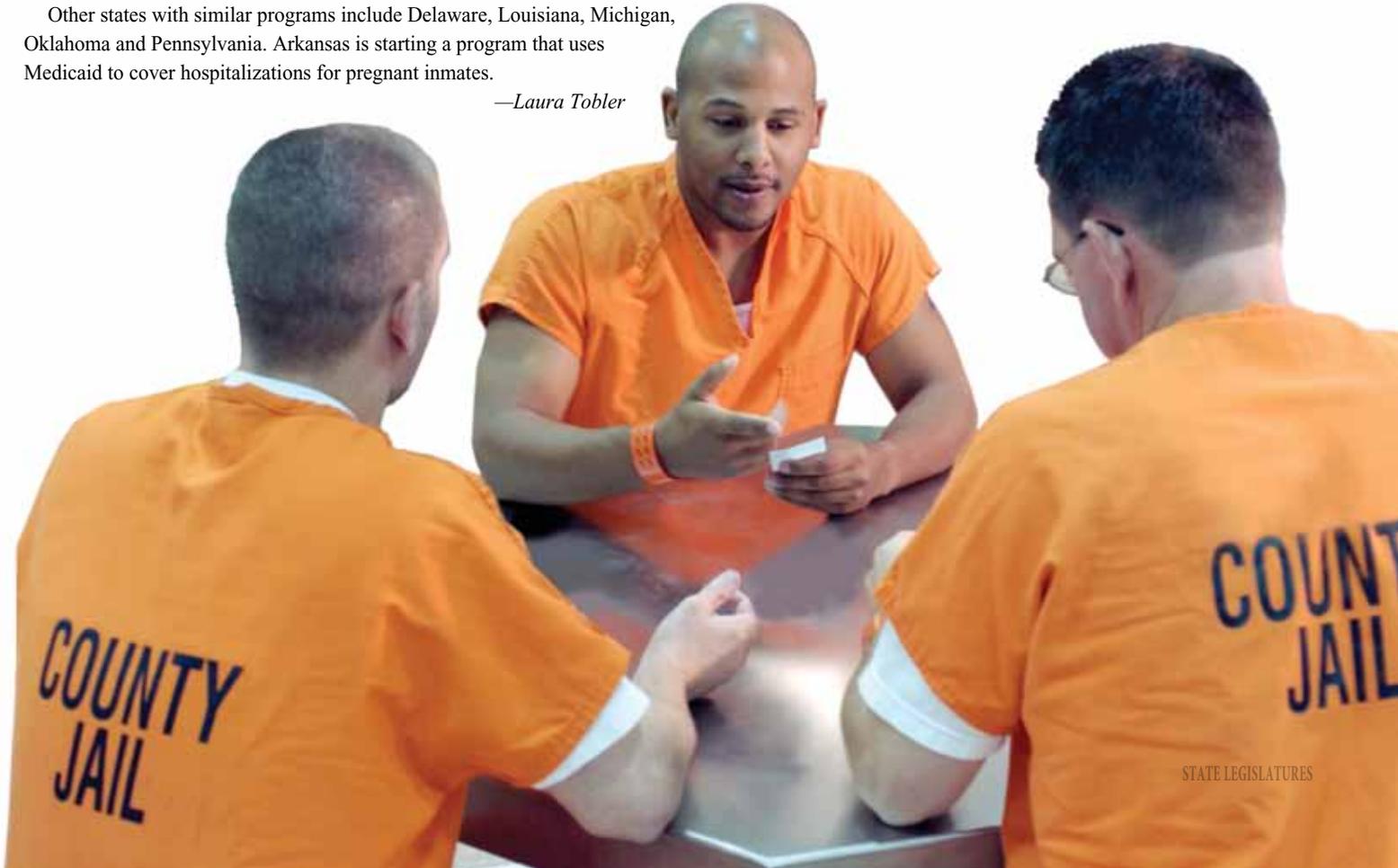
Since prisoners’ incomes tend to be below that mark, nearly all inpatient health care could be covered by Medicaid. Most of these prisoners will be “newly eligible” for Medicaid, which brings in a federal match that starts at 100 percent of medical costs for the first three years and decreases to 90 percent in 2020 and beyond. “This will be huge for corrections budgets,” Strugar-Fitsch says.

In most states, few inmates currently qualify for Medicaid, but there are still savings to be had. Mississippi’s program has saved about \$10 million since 2009, despite a low enrollment of about 1 percent of inmates. In the dozen or so states that currently cover some childless adults, more prisoners qualify for potentially greater savings.

California, where the income eligibility for childless adults is 200 percent of the poverty level, started a program last year that is expected to save millions. The federal government will pick up 50 percent of the tab for eligible inmates, and hospitals will bill the state based on Medicaid rates, which are significantly lower than the state was previously paying.

Other states with similar programs include Delaware, Louisiana, Michigan, Oklahoma and Pennsylvania. Arkansas is starting a program that uses Medicaid to cover hospitalizations for pregnant inmates.

—Laura Tobler



Proof of Service



Active duty servicemen and women have military ID cards to prove their status, but veterans must carry the comparatively large Certificate of Release or Discharge from Active Duty—referred to as a DD214—to prove their military experience.

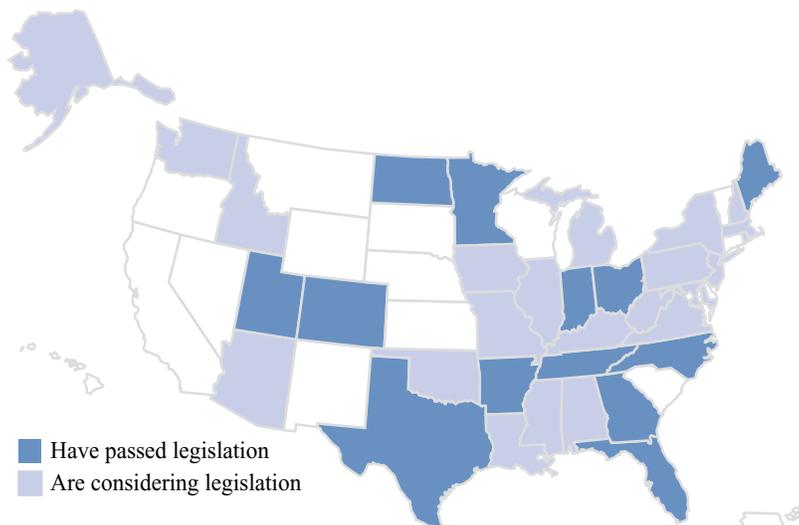
To make it easier and more convenient for veterans to verify their service, 13 state legislatures have passed measures to allow a military designation on driver's licenses, and at least 22 legislatures are considering similar legislation. In Massachusetts, the Registry of Motor Vehicles (without legislative action) began issuing licenses this year with a veteran designation.

For the tens of thousands of veterans returning from Iraq and Afghanistan, this new ID on their driver's license will help when applying for a job, seeking services at the Department of Veterans Affairs, or simply taking advantage of a retailer's discount.

Arkansas, Colorado, Florida, Georgia, Indiana, Maine, Minnesota, North Carolina, North Dakota, Ohio, Tennessee, Texas and Utah allow a military designation on driver's licenses. Most made the change in the past three years. In Arkansas, for example, a bold, red "VETERAN" appears below the driver's photo. On Maine licenses, along with the iconic moose, veterans are photographed in front of a blue backdrop with white stars. Although Florida already has a military designation on its driver's license, the Legislature is considering a bill to provide a temporary "V" sticker, for a \$2 fee, for between renewals.

—Anne Teigen

States With Military Designations on Driver's Licenses (as of March 15, 2012)



Too High to Drive



Thirty percent of all drivers who were killed in car crashes in California in 2010 tested positive for drugs.

In the same year, state police in Michigan reported drunken driving deaths decreased slightly, but drugged driving deaths increased. (The state police, however, believe increased testing for drugs in recent years affected the results.)

Nationally, about 68 percent of drivers killed in accidents are tested for drugs, according to the National Highway Traffic Safety Administration.

State lawmakers are increasingly aware of and concerned about the issue, leading to more interest in legislation affecting drugged driving and testing requirements.

Under implied consent laws, police are allowed to test suspected impaired drivers for the presence of alcohol or drugs at some point in the investigation. All states allow testing of a suspect's blood, and all but nine states allow testing urine. Fourteen states also allow police to test drivers' saliva or "other bodily substances" to determine the presence of drugs.

Proponents of swabbing drivers for their saliva or oral fluids believe the test is easier, cheaper and less intrusive to administer than blood testing.

On the other side, opponents argue that these tests often are inaccurate, especially when testing for the presence of marijuana. They also argue that, since drugs do not affect all people to the same degree, a high concentration in one person may not necessarily impair his or her ability to drive.

—Anne Teigen

Employment Credit Checks

Picture yourself in this situation: Laid-off two years ago, you have used all your savings to pay bills and are starting to fall behind on some. Finally, a job interview looks promising until they question your credit rating. Should that matter? Legislators in seven states—California, Connecticut, Hawaii, Illinois, Maryland, Oregon and Washington—say no, unless an employee’s or job candidate’s credit information is integral to the potential job. Washington lawmakers were the first to limit the use of credit information in employment decisions in 2007. Hawaii passed similar legislation in 2009. Illinois and Oregon followed in 2010, and California, Connecticut and Maryland followed in 2011. Similar bills are pending in more than 15 states and the District of Columbia.

Supporters of these laws to limit the use of credit reports argue that consumer reports are not good predictors of job performance and employability, and do not provide employers with the information to determine a job candidate’s ability to effectively perform a job. They point out that consumer reports can contain errors, and that reliance on credit information may disproportionately harm female and minority job applicants. They emphasize the U.S. Equal Employment Opportunity Commission’s longstanding concern that using credit information in employment may violate Title VII of the Civil Rights Act of 1964, which prohibits discrimination based on race, color, religion, sex or national origin.

Opponents believe credit information can provide an employer with valuable information regarding a candidate’s character, such as responsibility, reliability and integrity. They argue state legislation is unnecessary, since the Fair Credit Reporting Act already protects employees and job applicants. It requires employers to notify employees and obtain their written consent before requesting credit reports. The law also requires employers to disclose to job candidates any negative actions they take against them based on the reports. Finally, opponents assert these laws prevent employers from performing their due diligence by reducing the availability of accurate and relevant information about job applicants.

—Heather Morton

Pedal Pushers

As gas prices rise and waistlines expand, a few states are making it easier for state employees and visitors to arrive at state buildings on pedal power alone.

Wisconsin set the pace in 1981 when lawmakers required new bicycle racks near state office buildings, including the Capitol. Now “more people ride their bikes to work,” says Larry Corsi of the Wisconsin Bureau of Transportation Safety.

Last year, Vermont lawmakers recommended the state consider bike parking when designing state buildings and required the Vermont Bicycle and Pedestrian Coalition to assess bicycle parking at existing state buildings. The study found a lack of sheltered bicycle parking the greatest concern and recommended the Legislature appropriate money for covered bike racks near the State House. Legislation introduced this year urges quick action on bike parking projects at state buildings and asks for cost estimates.

In New York, lawmakers are considering two bills to conduct an inventory of bicycle parking and to expand parking and storage for employees and visitors to state buildings. The bills would establish a temporary task force to study the issue and make recommendations, including outreach efforts and possible partnerships to develop bike parking.

In other efforts, Rhode Island legislation in 2008 created a committee to study alternative methods for state employees to travel to work. Last year, California legislators passed a bill to establish a task force on improving bike use, but the governor put the brakes on it, saying the task force was unnecessary.

—Douglas Shinkle

