

2023 SESSION

HOUSE SUBSTITUTE

23105085D

HOUSE BILL NO. 1919

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Health, Welfare and Institutions
on January 31, 2023)

(Patron Prior to Substitute—Delegate Williams Graves)

A BILL to amend and reenact § 32.1-325.04 of the Code of Virginia, relating to pregnant inmates; information regarding coverage through state plan for medical assistance services.

Be it enacted by the General Assembly of Virginia:

1. That § 32.1-325.04 of the Code of Virginia is amended and reenacted as follows:

§ 32.1-325.04. Eligibility for medical assistance; individuals confined in state correctional facilities.

A. The Department shall coordinate with the Department of Corrections to identify persons in the custody of state correctional facilities who are currently enrolled in the Commonwealth's program of medical assistance or who may be eligible for services under the state plan for medical assistance services upon release and shall, prior to the release of such persons, (i) review the eligibility of currently enrolled persons to ensure continued access to medical assistance upon release or (ii) enroll persons not previously enrolled who meet eligibility criteria in the Commonwealth's program of medical assistance services; however, no services under the state plan for medical assistance services shall be furnished to any person while he is confined in a state correctional facility unless federal financial participation is available to pay for the cost of the services provided.

B. *The Department shall, in coordination with the Department of Corrections, (i) strive to identify persons confined in state correctional facilities who are pregnant and are enrolled in or may be eligible for services under the state plan for medical assistance services and (ii) ensure that such persons, prior to being released on medical furlough for the purpose of giving birth or receiving other pregnancy-related care, are provided with information regarding any steps necessary to obtain coverage for such birth or care.*

C. An individual who is enrolled in the Commonwealth's program of medical assistance services at the time of release from the custody of a state correctional facility shall be eligible for services upon release and shall continue to be eligible for services under the state plan for medical assistance services until such time as the person is determined to no longer be eligible for medical assistance.

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