



Health Care Financing and COVID-19 in Jails and Prisons

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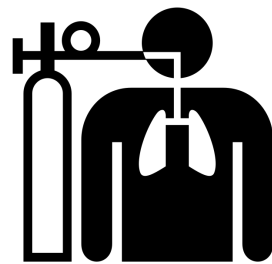


Criminal Legal Involvement and Health



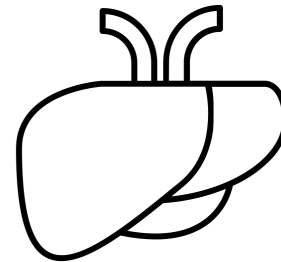
Fair/poor health

31% ↑



COPD

61% ↑



Hepatitis B/C

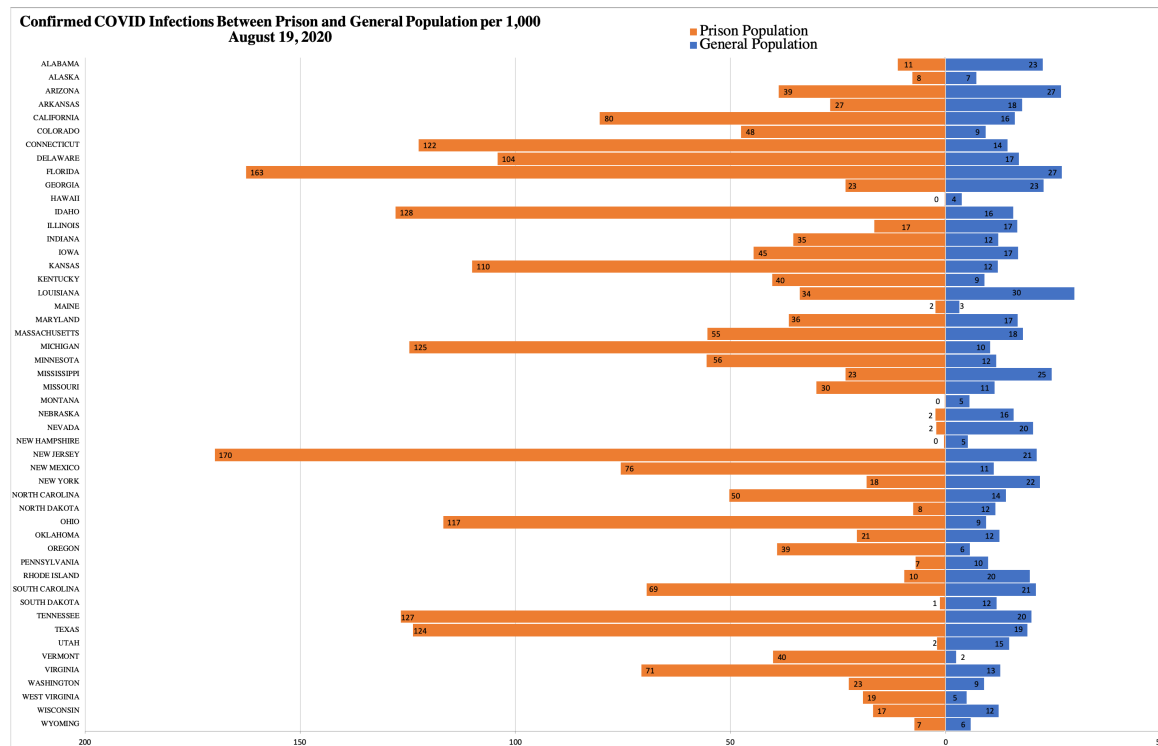
167% ↑



Disability

47% ↑

Incarceration and COVID-19 Rates



Barriers to COVID-19-related care in jails/prisons

- **Jails and prisons were not developed with an eye toward public health**
- **Existing health care structures/governance can create barriers**
- **Fixed budgets**

Medicaid Inmate Exclusion Policy

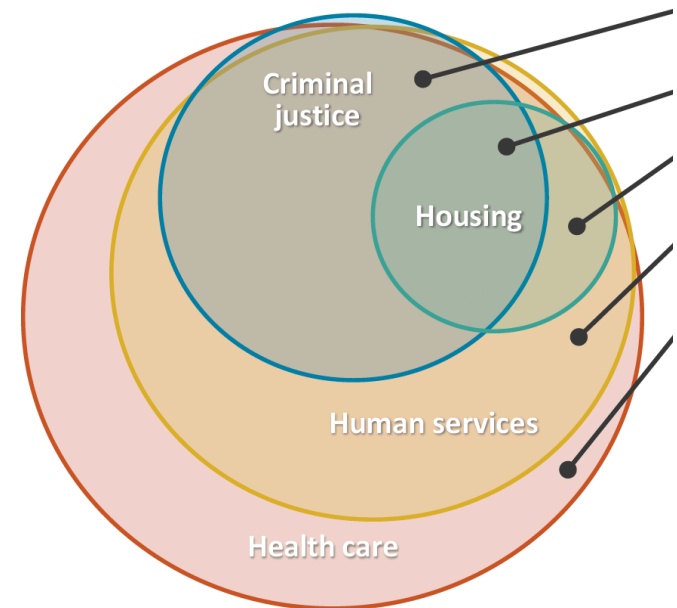
- **Federal law**

SEC. 1905. [42 U.S.C. 1396d] For purposes of this title—

- **Bars states from receiving federal matching funds for care provided to individuals in jail or prison**
- **Reduces ability of correctional facilities to respond to public health crises**

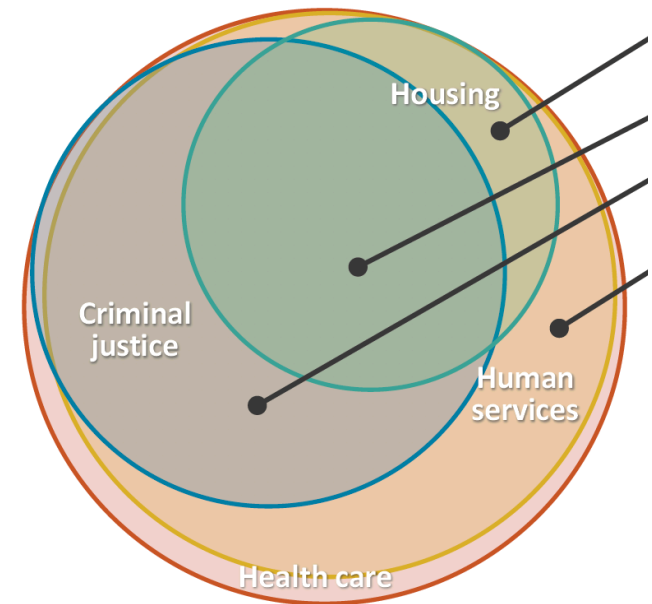
Medicaid Expansion and Criminal Legal Involvement

- **Among those covered by Medicaid expansion:**
 - 30% had criminal legal involvement



Medicaid Expansion and Criminal Legal Involvement

- **Among those covered by Medicaid expansion:**
 - 30% had criminal legal involvement
- **Among those with SUD or MI:**
 - 60% had criminal legal involvement



COVID-19 Funding for Jails/Prisons

- **CARES Act**

- \$2.2 trillion
- Mandates free COVID-19 testing for private and public health plans
- Relief fund to reimburse care for uninsured
- No direct coverage benefits for individuals in jails or prisons
- Changes to 42 CFR Part 2 to align with HIPAA

CARES Act

- **Coronavirus Relief Fund**

- \$150 billion
- Assistance for local, state, and tribal governments
- May be used for COVID-19 care in jails and prisons
- **Ends December 30, 2020**

- **Coronavirus Emergency Supplemental Funding (CESF)**

- \$850 million
- Administered through Bureau of Justice Assistance
- May be used for COVID-19 care in jails and prisons
- 2-year award

Other financing considerations for jails/prisons

- **Leverage Medicaid**
 - Align correctional health services with Medicaid covered-benefits
- **Fewer individuals incarcerated = lower costs**
- **Additional funding needed to prevent a fiscal cliff in January 2021 for jails and prisons**

Conclusions

- **Access to health care is critical for individuals involved in the criminal legal system due to their complex health profiles relative to the general population**
- **The CARES Act provides funding for jails and prisons, but much of that funding ends December 30, 2020**
- **Medicaid reforms are key to improving correctional health care**

Thank you

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References

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