

Medicaid Inmate Exclusion Policy

Justice & Health Equity Services

In 2023, the Centers for Medicare and Medicaid Services (CMS) released guidance allowing Medicaid programs to apply for a new Section 1115 waiver opportunity to expand coverage for people who are incarcerated. This allows states a partial waiver of the “Medicaid inmate exclusion policy,” which prohibits Medicaid from paying for services provided during incarceration. To apply for and implement this waiver, many states need access to additional resources and expertise.



At **ForHealth Consulting™ at UMass Chan Medical School**, we combine extensive knowledge of healthcare for justice-involved populations with deep waiver design and implementation experience. Our consultants know the complexities of working in this particular environment, understand the challenges of reentry, and can build relationships with community partners that are essential to supporting justice-involved people on this new journey.

The Challenge

Justice-involved individuals are disproportionately low-income and often have complex, chronic, and co-occurring conditions. These can include behavioral health needs, such as mental health conditions and substance use disorders. When it is time for reentry, the Medicaid inmate exclusion policy prevents them from having benefits and care plans in place to continue treatment immediately upon release.

How ForHealth Consulting Can Help

Ensuring Medicaid membership and setting up access to care, providers, and supports prior to release can help improve care transitions and increase continuity of health coverage, reduce disruptions in care, improve health outcomes, and reduce recidivism rates.

Better Access: We collaborate to leverage Medicaid financing for healthcare services provided in correctional settings and identify and address racial and health inequities in youth and adult systems.

Better Knowledge: Our previous waiver experience helps us streamline processes for justice partners and quickly stand up their operations. We also deliver training and research findings to improve the public health response to substance use, mental health, COVID, and other health-related concerns.

Better Performance: Our consultants develop strategies to reduce churn within correctional facilities and improve the continuity of care, leading to improved outcomes after release.

Our Solutions ensure a WIN-WIN-WIN for all involved:

- Justice-involved individuals have access to benefits and continuity of healthcare coverage and treatment, potentially reducing recidivism.
- Medicaid programs can expand their service offerings to support this vulnerable population and reduce potential negative public health impact.
- Community providers build connections with justice involved individuals before reentry and can set up supports and programs that can offer opportunities for success.

Why Choose ForHealth Consulting?

ForHealth Consulting brings deep expertise in correctional healthcare and operational systems and we have proven impact working with state departments of corrections, sheriff's offices, and youth and family agencies, as well as Medicaid agencies around the country.

For example, our consultants have partnered with the Massachusetts Medicaid program, MassHealth, to set the foundation and develop structures and supports for the reentry process as part of the state's new Section 1115 waiver. These include:

- **Partnering to draft the waiver**, which included a pre-release request up to 90 days prior to reentry to the community to ensure access to healthcare providers and medications upon their release.
- **Collaborating on a Coordinating Council of stakeholders** to inform the development of the waiver proposal. Our consultants assisted with developing key components of the Finance, Healthcare, and Eligibility workstreams. We served as a liaison to all of the state's corrections, probation, and parole stakeholders for this initiative, informing them on how it will assist their populations.
- **Developing relationships with justice partners** to work with them on the Medicaid inmate exclusion policy and account for their specific situations.
- **Analyzing healthcare utilization data sets** from justice partners to assess the impact on outpatient volumes, costs, and Medicaid reimbursement.

ForHealth Consulting's experts can provide other states with similar support as they embark on their waiver application and implementation process.

At ForHealth Consulting, we know that to make healthcare truly equitable, effective, and accessible, we need to address every aspect of the system—how we pay for it, how we manage information, and how we deliver quality care to everyone.

Most of all, we believe in diversity and inclusion, and the power of a shared purpose; together, we can make healthcare better. [Better for all of us.](#)

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