

Jail & Huber Committee
June 16, 2014
Minutes

Chair: Tom Reed, SPD

Attending:

Lisa Boyd, Center for Self Sufficiency
Capt. William Duckert, MSO
Sue Eckhart, Justice 2000
Ed Gordon, Justice Point
Noni Guillonta, MSDF
Michael Hafemann, HOC
Erica Hayden, Office of the Comptroller
Doug Hinton, WCS
Pete Koneazny, Legal Aid Society (Notetaker)
Hon. Jeffrey Kremers, Courts
Kerri McKenzie, HOC
Kit McNally, CJC Executive Committee
Warden Floyd Mitchell, MSDF
Paula Payton-Murphy, WCS
David Riemer, Community Advocates
Holly Szablewski, Courts
Neil Thoreson, Probation and Parole

1) Presentation – Affordable Care Act and Health Care Coverage in Wisconsin.
David Riemer.

- Post passage of the Affordable Care Act (ACA) adults over 18 whose income is at or below 100% of the federal poverty line can qualify for Badger Care, without having to be a custodial parent. This change is significant and could have a significant impact on many people in the criminal justice system.
- An individual above 100% of the federal poverty line will not qualify for Badger Care, but instead would be eligible to purchase health insurance through the ACA “marketplace.”
- Those who fall in the range of 100%-400% of the federal poverty guidelines are eligible for an ACA health insurance subsidy, based on income level, for purchase of insurance through the marketplace. The subsidy functions by electronic fund transfer payable to the insured’s provider of choice. If the insured/patient does not pay the patient share, the IRS takes back the subsidized amount.
- Below 100% of the poverty line, it’s fairly simple – the person can be covered by Badger Care. Between 100-400% it may be complicated. 100% of poverty hits at just above \$7/hour for an individual.

- For those up to 150% of poverty level, the patient/insured gets a fairly substantial assistance with their purchase of insurance coverage. With the subsidy, the patient's medical bills are covered up to about 94%, as opposed to the 70% covered by the "silver" plan if purchased by someone with a higher income level.
- Some SSD recipients below age 65 will qualify for Medicare.

Criminal justice context/relevance points:

- If you get Badger Care, you get coverage for all EHBs (essential health benefits).
- There should be "parity-based" coverage for mental health treatment, including addiction treatment.
- This parity rule is clear as to outpatient mental health care getting equal coverage in comparison to other care, but it is not as clear as to how parity will extend to coverage of in-patient mental health and addiction disorder treatment.
- David supplied a handout on the enrollment qualifications for those in the criminal justice system (attached). He cautioned that this is a "draft" based on best knowledge available to Community Advocates, and he welcomes any corrections or additions by anyone who may have better knowledge on any point.
- The challenge, for those of us interested, is to get people signed up for all the insurance they may qualify for; an additional benefit for getting people covered is that it may be possible to reduce medical costs born by the county and state institution's (Jail, HOC, MSDF) medical budgets to the extent some individuals might have access to covered care while detained or on monitoring. In addition, coverage for medical and for mental health and addiction treatment should benefit re-entry and stability in the community.
- Community Advocates has been working on establishing cooperation, mostly with HOC and MSDF so far, for people who can begin the ACA sign up process while incarcerated. They may not be able to be covered while serving a sentence, but they can apply so that their coverage can be in place after they are discharged.
- The Milwaukee County Jail is also an important potential site for enrollment; Chicago/Cook County Jail does enrollment through its Jail staff. LA and Denver also have such programs.
- The applicant must first have a social security number – HOC and MSDF have started program, or are looking to start a program, to assist people getting their Social Security number.
- Tom Reed has explored with Jail staff about including health insurance sign up along with the screening..
- Kerri McKenzie reported that HOC is working on program to sign up people before release. Jose Hernandez is in charge of HOC's efforts.
- David said that County Board and County Exec have approved funds to support sign up program run through the City of Milwaukee. A City representative has been giving presentations on how inmates can sign up for insurance upon release, preferably the HOC should be able to start the process while in custody.
- The Jail might be more logistically complicated, for working with detainees on health insurance applications, because a lot is already being done with them at the

- time of entry and some may be released at unpredictable times. However, unlike HOC inmates serving a sentence, a pretrial detainee is eligible to sign up.
- David mentioned that he is working w/ the State (Jim Grier of DOC) to have a sentenced inmate's coverage merely be suspended rather than terminated, so an inmate would not have to re-apply upon release if they already had coverage. Department of Health Services is amenable to the concept, but would have to change the way the program is implemented (their IT system would need changes.)
 - David emphasized that it would be very helpful if ACA enrollment could be combined with universal screening at the front end of admission to the Jail.
 - In Chicago, they have gotten the enrollment time down to 10 minutes on average.
 - David suggested that the philanthropic community would support such an effort, because it supports re-entry and continuity of care for mental health and addiction disorders. Continuity of care can also positively impact recidivism.
 - Once installed, the system would become more efficient because of experience and getting large % of community enrolled.

Concerns:

- Holly noted that any efforts would require additional resources. The system is already stressed doing all the things we're trying to do at the point of entry/screening. But she agreed it would be possible to come up with a budget for how it could be done.
- The question was raised whether this work should be part of the Sheriff's function rather than by others working around the Sheriff. The Sheriff's department is responsible for screening for medical condition and psychiatric and social work needs and it would make sense to see connection with health insurance as part of the care and discharge planning function. There is apparently precedent for this being done efficiently by Jail staff in Cook County.
- David noted that Cook County may be somewhat different, because Illinois already had coverage for low income adults who were not custodial parent. Also, there is one county-wide HMO for Medicaid in Cook County and the County benefitted from shifting inmates from a County supported medical program (like our former GA-Medical benefit) to the Medicaid program.