1310.1 REQUIREMENTS

An agreement between DHS and the Maryland Department of Public Safety and Correctional Services (DPSCS) signed in 2004 created a mechanism to assist inmates who are terminally ill or chronically mentally ill to access benefits prior to their release date. In 2013 DHS, DPSCS, and the Department of Health (MDH) signed an agreement expanding assistance with accessing Medicaid and DHS entitlement benefits to all pre-release inmates.

A. With individuals for whom release to the community is anticipated, DPSCS will identify, assess, and transmit applications and other required information and forms to the LDSS in the jurisdiction in which the individual will live, and to MDH's Medicaid office, the Office of Eligibility Services (OES).

B. The local department receives the application and all needed verifications before the inmate is released.

C. The LDSS will collaborate with DPSCS staff to receive, review and process applications for SNAP, TCA, TDAP, or other programs (including MA programs that are still in CARES) in an expedited manner so that eligible individuals can come into the LDSS for their benefits upon release.

1310.2 DIVISION OF CORRECTION RESPONSIBILITIES

A. Identify potentially eligible inmates and complete a needs assessment

B. Develop release plans indicating living arrangements upon release

C. Make referrals to the local department within 45 - 60 days of the expected release date with:
   1. An application
   2. A release plan, including the date of release
   3. All verifications

D. Conduct the face-to-face interview (done by social work staff at the correctional facility)

E. Forward the application to the local department serving the area where the inmate will live upon release along with:
   1. The address and type of living arrangements upon release
   2. Verification of Social Security number
3. Income verification, and if no income, documentation of how living expenses will be paid
4. Verification of resources
5. Completed DHS/FIA 500 and, if appropriate, DHS/FIA 340 Interim Payment Reimbursement form
6. Verification that all potential resources have been applied for and the current status of those applications
7. Any other pertinent information
F. Call the local department to:
   1. Alert them to the coming application
   2. Provide the name and number of the correctional staff contact person

1310. 3 LOCAL DEPARTMENT RESPONSIBILITIES
A. Provide correctional facilities with necessary applications and forms upon request
B. Provide local department contact name and telephone number
C. Complete the following actions upon receipt of the application:
   1. Date stamp the application
      • The actual release date is the filing date
   2. Assign the application to a case manager for review, who will:
      • Request additional information from the prison contact if needed
      • If not received, remind the prison contact that the information is needed to provide benefits immediately upon release.
D. Take action to finalize the case when notified that the inmate has been released by:
   1. Entering the case on CARES using the release date as the filing date, or adding the individual to an existing TCA case
   2. Making an eligibility decision immediately if the prison contact staff has provided all the information needed, or
   3. Contact the prison contact to get the information that is needed to process the application.
4. Send a copy of all decisions and requests for information to the DPSCS contact person

E. Keep a log of all incoming applications, case managers assigned, and case dispositions

1310.4 ADDING THE INMATE TO A TCA CASE

A. When the inmate has no income and is otherwise eligible, add the needs of the inmate to the existing grant effective the month after the month of application (release).

B. When the inmate has income and is otherwise eligible, add the inmate to the assistance unit and then add the income. (This is a CARES requirement.)
   1. If the grant increases, the change is effective the month after the month of application
   2. If the grant decreases or the case closes, the change is effective the month after the expiration of the adverse action notice

C. Prior to July 1, 2000, if the released inmate was convicted of a felony that occurred after August 22, 1996, and involved a controlled substance, that person cannot be in the assistance unit
   1. The released inmate who is a parent is coded on CARES as an ineligible parent and a prorated share of the inmate’s income is applied to the assistance unit
   2. If the inmate parent had no income, the grant would not change
   3. The inmate who is a convicted drug felon is eligible for Medical Assistance from the first day of the month of application

D. Effective July 1, 2000, the inmate who was convicted of a drug-related felony that occurred after August 22, 1996, is eligible if the inmate:
   1. Will be a custodial parent upon release
   2. Agrees to comply with drug testing and treatment requirements, and
   3. Was not convicted after July 1, 2000, while receiving TCA, a WAG or Emergency Assistance except as stated in E below
E. Custodial parents who are convicted of a drug-related felony on or after July 1, 2000, while receiving TCA, WAG, or Emergency Assistance are ineligible for one year from the date of the conviction.

1. After one year, the parent may reapply and agree to comply with drug testing and treatment.

2. If the inmate was convicted on or after July 1, 2000, while receiving cash benefits and is released within a year of the conviction, the inmate is technically ineligible and cannot be included in the assistance unit until one year from the date of conviction.

3. The inmate is eligible for Medical Assistance from the first day of the month of application whether or not one year has passed since the conviction.