

**441—75.12 (249A) Inmates of public institutions.** A person is not eligible for medical assistance for any care or services received while the person is an inmate of a public institution. For the purpose of this rule, “inmate of a public institution” and “public institution” are defined by 42 CFR Section 435.1010 as amended to August 25, 2011.

**75.12(1) Suspension.** Medical assistance shall be suspended, rather than canceled, for the first 12 continuous calendar months that a person is an inmate of a public institution if all of the following conditions are met:

*a.* The department is notified of the person’s entry into the public institution through either:

(1) A monthly report which is provided to the department by the public institution and includes the person’s name, date of birth, and social security number and the date the person entered the institution; or

(2) Other verified notice received by the department.

*b.* The person has entered a public institution on or after January 1, 2012, and has been in the public institution for 30 days or more.

*c.* On the date of entry into the public institution, the person was a Medicaid member.

*d.* The person is eligible for medical assistance as an individual except for institutional status.

**75.12(2) Coverage during suspension.** While medical assistance is suspended, payment will be made only for services received while the person is not an inmate of a public institution.

**75.12(3) Reinstatement.** The Medicaid case for an inmate who is released from a public institution while Medicaid is suspended will be reopened without an application if both of the following conditions are met:

*a.* The department is notified of the person’s release from the public institution through either:

(1) A monthly report which is provided to the department by the public institution and includes the person’s name, date of birth, and social security number and the date the person was released from the institution; or

(2) Other verified notice received by the department.

*b.* All information available to the department indicates that the person is currently eligible for Iowa Medicaid as an individual.

This rule is intended to implement Iowa Code section 249A.3 and 2011 Iowa Acts, Senate File 482, division IX.