AN ACT concerning the Kansas program of medical assistance; establishing a suspended eligibility status for recipients; relating to notification by the Kansas department of aging and disability services, the department of corrections and county sheriffs.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) (1) The department of health and environment shall establish a suspended eligibility status for recipients of state medicaid services under the Kansas program of medical assistance and shall classify a recipient as suspended from eligibility pursuant to this section. For any recipient who may be classified as suspended from eligibility pursuant to this section, the department of health and environment shall retain all records relating to the recipient and shall not terminate the recipient's eligibility for state medicaid services.

(2) Upon receipt of notice that a recipient's eligibility status should be reinstated pursuant to this section, the department of health and environment shall expedite reinstatement of the recipient's eligibility for state medicaid services. The department of health and environment shall not require such a recipient to begin the eligibility application process anew for state medicaid services.

(3) Suspended eligibility status granted pursuant to this section shall not entitle a recipient to coverage for state medicaid services during the period of time for which the recipient is deemed to have suspended eligibility. Nothing in this section shall be construed to prevent the department of health and environment from granting eligibility for state medicaid services during any period of time for which a recipient may receive reimbursement for state medicaid services.

(b) A recipient of state medicaid services under the Kansas program of medical assistance shall be granted suspended eligibility status upon:

(1) Admission to Larned state hospital, Osawatomie state hospital, Rainbow mental health facility, or any successor entity operated by a non-state entity upon the Rainbow mental health facility premises, Kansas neurological institute or Parsons state hospital and training center;

(2) admission to a hospital, nursing facility or other institution with a capacity of more than 16 beds that is primarily engaged in providing diagnosis, treatment or care, including medical attention, nursing care and
related services, of persons with mental diseases; or

(3) incarceration in any correctional facility or jail or placement in any juvenile correctional facility.

(c) (1) When an individual is admitted to Larned state hospital, Osawatomie state hospital, Rainbow mental health facility, or any successor entity operated by a non-state entity upon the Rainbow mental health facility premises, Kansas neurological institute, Parsons state hospital and training center or any hospital, nursing facility or other institution with a capacity of more than 16 beds that is primarily engaged in providing diagnosis, treatment or care of persons with mental diseases, including medical attention, nursing care and related services, the Kansas department for aging and disability services shall determine whether such individual is a recipient of state medicaid services under the Kansas program of medical assistance. Upon determination that an individual is such a recipient, the facility or the Kansas department for aging and disability services shall notify the department of health and environment that such individual should be suspended from eligibility for state medicaid services.

(2) When a recipient is discharged from any facility described in this subsection, the Kansas department for aging and disability services shall notify the department of health and environment that such recipient should be deemed eligible for state medicaid services.

(3) The secretary for aging and disability services shall adopt rules and regulations as may be necessary to implement and administer the provisions of this subsection prior to January 1, 2018.

(d) (1) When an individual is incarcerated in any correctional facility or placed in any juvenile correctional facility, the department of corrections shall determine whether such individual is a recipient of state medicaid services under the Kansas program of medical assistance. Upon determination that an individual is such a recipient, the department of corrections shall notify the department of health and environment that such individual should be suspended from eligibility for state medicaid services.

(2) When a recipient is released from any facility described in this subsection, the department of corrections shall notify the department of health and environment that such recipient should be deemed eligible for state medicaid services.

(3) The secretary of corrections shall adopt rules and regulations as may be necessary to implement and administer the provisions of this subsection prior to January 1, 2018.

(e) (1) When an individual is incarcerated in a jail, the sheriff operating the jail shall determine whether such individual is a recipient of state medicaid services under the Kansas program of medical assistance. Upon determination that an individual is such a recipient, the sheriff shall
notify the department of health and environment that such individual should be suspended from eligibility for state medicaid services.

(2) When a recipient is released from any facility described in this subsection, the sheriff shall notify the department of health and environment that such recipient should be deemed eligible for state medicaid services.

(f) The secretary of health and environment shall adopt rules and regulations as may be necessary to implement and administer the provisions of this section prior to January 1, 2018.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.