

Medicaid Inmate Exclusion

NAMI Public Policy Position



Where We Stand:

NAMI believes that all people with mental health conditions who are incarcerated deserve access to quality mental health treatment. NAMI supports the continuation of Medicaid coverage for people with mental health conditions who are justice-involved and calls for the repeal of the Medicaid Inmate Exclusion Policy.

Why We Care:

On any given day, approximately 44% of people incarcerated in jails and 37% of people in state and federal prisons have a history of mental illness. Jails and prisons have become America's de-facto mental health providers but are often unable to provide adequate care as part of a system that is not built to provide health services.

Medicaid is a critical source of care for many people with mental illness. Yet, federal law prohibits the use of Medicaid funds for services provided to an "inmate of a public institution," which includes people who are incarcerated in jails, prisons, detention centers or other correctional facilities. Known as the "Medicaid Inmate Exclusion Policy," this policy has resulted in states terminating or suspending benefits for people who receive care through Medicaid, even if they are incarcerated for a short period of time.

Once incarcerated, the individual's health care becomes the responsibility of the state and local governments that run the over 1,800 state prisons and 3,000 local jails nationwide.

Shifting between two systems of health care causes many people to become disconnected from treatment, disrupting their overall health.

Allowing Medicaid coverage to continue for those in custody would make it easier for people with

mental illness to receive continuous care – both when they become incarcerated and when they reenter the community.

NAMI supports the continuation of Medicaid coverage for people with mental health conditions who are justice-involved and calls for the repeal of the Medicaid Inmate Exclusion Policy.

Additionally, it could potentially improve the quality of care in jails and prisons because they would have to adhere to federal health care standards mandated under the Medicaid program.

In absence of a full repeal by Congress, NAMI supports state efforts to provide continuity of health care for people who are justice-involved.

To learn more about NAMI's work on this issue, visit www.nami.org/Advocacy/Policy-Priorities