



# Juvenile Justice Medicaid Coverage

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# Background and Covered Services

The Consolidated Appropriations Act (CAA) 2023, section 5121 requires states to provide select benefits 30-days prior to release from a carceral setting for Medicaid enrolled juveniles.

The goal is to help provide seamless transitions to medical, dental, vision, and behavioral health providers upon re-entry.

**Screenings and Diagnostic (Pre-Release Services):** Screening and diagnostic services for children under age 21 should be provided in accordance with the American Academy of Pediatrics (AAP) Bright Futures health guidelines. Medicaid covers United States Preventative Services Task Force (USPSTF) A and B grade recommendations in accordance with the guidance in the Well-Child, Well-Adult, and Other Preventative Services manual. Immunizations are covered in accordance with the Centers for Disease Control and Prevention Immunization Schedule.

**Targeted Case Management (TCM):** Targeted case management services include services furnished to assist individuals, eligible under the State Plan, in gaining access to needed medical, social, educational, and other services which include the following:

- Healthcare needs assessment and reassessment;
- Person-centered care plan development;
- Arranging screening and diagnostic services;
- Referrals and related activities; and
- Monitoring and follow-up activities.

# Eligible Recipients

To receive TCM and pre-release services an individual must be enrolled in Medicaid and meet the following criteria:

- Be under 21 years and enrolled in any eligibility group, or be 18 to 26 years old and enrolled in the mandatory foster care children group (aid category 54); and
- Is an inmate of a public institution\* who has been adjudicated, and is within 30 days of release into the community or other non-carceral setting; or
- Was an inmate of a public institution who has been adjudicated, and released into the community or other non-carceral setting within the last 60 days;

Adjudicate Definition: a judicial decision or sentence

- For purposes of this presentation, post-adjudication will mean post legal sentencing. The sentencing may be a process of federal, state, local, or tribal judicial systems.

TCM and Pre-Release services are **not** covered while an individual is an inmate unless:

1. The individual has been adjudicated; and
2. The individual is within 30 days of release.

\* This does not include individuals who are placed in a facility by means other than the legal system such as self-admission or parental-admission.



# Carceral Settings – South Dakota

**Definition:** all types of carceral facilities where eligible juveniles may be confined as an inmate of a public institution post-adjudication. This includes federal, state, local and tribal jails and prisons, and all juvenile detention and youth corrections facilities.

**Juvenile Detention Centers (JDC):** South Dakota has 8 JDCs

- Minnehaha County, Beadle County, Brown County, Codington County, Day County, Hughes County, Pennington County, and Roberts County

**Department of Corrections:** DOC does not operate a stand-alone facility

- Initial incarceration starts in a Juvenile Detention Center (JDC) or county jail.
- Eligible Juveniles are moved to a Group Home setting or Psychiatric Residential Treatment Facility (PRTF).
  - Some juveniles may be released to the custody of parents under an aftercare program.
- Ineligible Juveniles remain in JDC until release.

**Tribal Carceral Settings\*:** The state has been made aware of 2 facilities

- Wanbli Wiconi Tipi JDC – Rosebud Reservation, Rosebud Sioux Tribe
- Kiyuksa O'Tipi Reintegration Center JDC – Pine Ridge Reservation, Oglala Sioux Tribe

\*Department of Corrections does not oversee or have administrative control over tribal carceral settings.

# Eligible Providers

Case Managers must have the capacity to meet all core elements of case management services outlined in CFR 440.169, be at least 18 years old, and meet the following qualifications:

- Case managers must be part of a care team of a Medicaid enrolled provider. Supervision of the case manager must be provided by a physician, physician assistant, certified nurse practitioner, clinical nurse specialist, certified addiction counselor, licensed addiction counselor, licensed psychologist, licensed professional counselor – mental health, licensed professional counselor working toward a mental health designation, licensed clinical nurse specialist, licensed certified social worker – Private Independent Practice (PIP), licensed certified social work – Private Independent Practice (PIP) candidate, or licensed marriage and family therapist.
- Must be employed by or under contract with the Public Safety Organization.
- Both above must also meet:
  - Must have graduated from an accredited college or university with a bachelor's or associate's degree in criminology, criminal justice, psychology, social work, nursing, human services or another similar field.
  - In lieu of a bachelor's or associate's degree in an enumerated field, the individual:
    - i. Has a high school diploma or GED; and
    - ii. Is a community health worker certified by the Community Health Worker Collaborative of South Dakota; or
    - iii. Has a minimum combination of 6 months training or experience providing case management services.

Or

- Is a community health worker certified by the Community Health Worker Collaborative of South Dakota employed by an enrolled Community Health Worker Agency.

# Targeted Case Management

Services performed under 5121 for Targeted Case Management (TCM) must be separate and distinct services from what providers currently provide

## **TCM Billing-**

- HCPC T1017
- 15-minute units (minimum of 8 min to qualify as a unit)
- \$16.87/unit

## **Non-Duplication of Services:**

Targeted case management services cannot duplicate other case management services provided under the Medicaid state plan or waiver or demonstration authority. Services that are similar to targeted case management and considered duplicative include:

- Community mental health center case management services;
- Health home care coordination services;
- BabyReady care coordination services; and
- HCBS waiver case management services.

When a case manager becomes aware the recipient is receiving the above-referenced services, they must provide a warm hand-off to the case manager/care coordinator and initiate discontinuation of targeted case management services.

# Targeted Case Management – continued

## **Service Delivery**

Targeted case management services should be provided face-to-face or via telemedicine, which is an interactive telecommunications system to provide two-way, real-time, interactive communication between a provider and a Medicaid recipient across a distance that has both audio and visual component. In limited circumstances, services may also be provided via audio-only such as a telephone.

## **Discontinuation of Services**

Targeted case management services may be provided for up to 30 days prior to reentry and 60 days upon reentry. The first day of reentry is considered day 1 of the 60-day period. The case manager should explain the duration of the services to recipient upon initiation.

A copy of the person-centered care plan including goals and progress made should be provided to the recipient within five business days of the service ending. If the recipient is receiving case management services from another provider, a warm handoff with transfer summary shall be completed.

# Pre-Release Services

In the 30-days prior to release from a carceral setting to any non-carceral setting, or as soon as practical after release, the TCM will help schedule a full wellness exam/physical through a Medicaid enrolled provider to include screening and diagnostic services which meet reasonable standards of medical and dental practice as defined by the state. The physical may be provided by the carceral settings contracted provider.

Medicaid covers one wellness exam every 10 months, if a juvenile has received a wellness exam/physical, been screened and/or received a diagnostic service(s) prior to incarceration, upon entry to the carceral facility, and/or during other points of incarceration prior to 30-days of their scheduled release date, or within 10 months of incarceration, and those services meet the standard outlined below, the TCM care plan should document such services have been received.

The wellness exam should include appropriate immunizations according to age and health history and the following screenings:

- Behavioral Health screening and, as applicable, referrals for services;
- Dental screening;
- Hearing screening; and
- Vision screening;

Additional diagnostic and treatment services prior to release are **not covered** by Medicaid and are subject to payment recoupment.



# Stakeholder Engagement Contractor

- DSS solicited proposals to obtain services to conduct stakeholder engagement to identify barriers, challenges, and develop recommendations and an action plan for implementation of Division FF, Title V, section 5121 of the Consolidated Appropriations Act, 2023, known as Juvenile Justice Coverage.
- The offeror will also provide project management for implementation of recommendations and the action plan.

Provider Resources - <https://dss.sd.gov/medicaid/providers/billingmanuals/default.aspx>