

This Document can be made available
in alternative formats upon request

State of Minnesota
HOUSE OF REPRESENTATIVES

**EIGHTY-FIFTH
SESSION**

HOUSE FILE NO. 2115

March 14, 2007

Authored by Olin, Paymar, Hilstrom and Smith

The bill was read for the first time and referred to the Committee on Public Safety and Civil Justice

1.1 A resolution

1.2 memorializing Congress to enact legislation to extend federal entitlement eligibility to
1.3 unadjudicated individuals held in local facilities.

1.4 WHEREAS, United States Code of Federal Regulations, title 42, part 435.1008, states that
1.5 federal financial participation (FFP) is not available in expenditures for services provided to
1.6 individuals who are inmates of public institutions; and

1.7 WHEREAS, because states are unable to assume the federal share of providing medical
1.8 services to FFP-eligible persons being held in county jails and detention facilities, and therefore
1.9 terminate or sometimes suspend medical and disability benefit eligibility; and

1.10 WHEREAS, the cessation of benefits occurs prior to the issuance of formal charges,
1.11 adjudication, and conviction; and

1.12 WHEREAS, counties must provide medical services to all persons incarcerated in local
1.13 jails and detention facilities; and

1.14 WHEREAS, as a result of the federal regulation to immediately cease FFP for medical and
1.15 disability benefits upon apprehension, all costs of inmate medical care must be borne solely by
1.16 counties until the benefits are fully restored; NOW, THEREFORE,

1.17 BE IT RESOLVED by the Legislature of the State of Minnesota that it urges the Congress
1.18 of the United States to take necessary action to enact federal legislation to amend the regulations
1.19 to allow federal financial participation for medical and disability benefits to incarcerated
1.20 individuals until convicted and sentenced to secure detention.

- 2.1 BE IT FURTHER RESOLVED that the Secretary of State of the State of Minnesota is
- 2.2 directed to prepare copies of this memorial and transmit them to the President of the United States,
- 2.3 the President and the Secretary of the United States Senate, the Speaker and the Clerk of the United
- 2.4 States House of Representatives, and Minnesota's Senators and Representatives in Congress.