



May 2, 2016

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The Honorable Sylvia Mathews Burwell  
Secretary, U.S. Department of Health and Human Services  
Hubert H. Humphrey Building  
200 Independence Ave, SW  
Washington, DC 20201

**RE: Medicaid Inmate Waiver Request**

Dear Secretary Burwell:

Over the past few years, the California State Association of Counties (CSAC) has partnered with the state in leading efforts to enroll individuals in health insurance plans through the Affordable Care Act. CSAC has also worked closely with the state in designing the renewal of the Med-Cal 1115 waiver. And, combined with our responsibility for the jail system and other institutions, we continue to seek ways to improve the care of individuals in county custody.

Although a large number of persons detained in our jails have not yet been adjudicated, they lose their health insurance coverage once they are in custody. Consequently, the responsibility of that care is borne by counties. Given that fact, we have long advocated for a statutory change to the Medicaid Institutions for Mental Diseases (IMD) exclusion to assist in financing and maintaining such coverage.

As we continue to pursue a statutory change to the IMD rule, CSAC urges you to use your authority to consider and grant narrowly targeted Medicaid waivers to support a limited set of services provided to individuals in our custody.

Our justice-involved populations have behavioral and physical health needs that are often much greater than the general population. When they return to our communities, the transition to continue to meet those needs is all too often sporadic and incomplete. Given these challenges and CSAC members' commitment to build on a continuum of care for justice-involved individuals, CSAC supports the National Association of Counties' (NACo) April 12, 2016 letter to you which outlines potential components of a Medicaid Inmate Waiver.

As the NACo letter states, "a new narrowly targeted Inmate Waiver could improve the ability of counties to provide access to appropriate, targeted health services and substance abuse treatment to this population. We believe that it would result in reduced medical costs to both the Medicaid program and to counties. Importantly, it would also help reduce health disparities, recidivism and the disproportionate burden of incarceration on individuals and communities of color."

The California State Association of Counties stands ready to assist your staff in providing local-level expertise on the ways the Department of Health and Human Services could partner with states and counties interested in addressing this issue. We welcome your attention to this request and look forward to continuing to improve the Medicaid program. Please have your staff contact Tom Joseph at [tj@wafed.com](mailto:tj@wafed.com) if you would like additional information.

Sincerely,

A handwritten signature in blue ink that reads "Matt Cate".

Matt Cate  
CSAC Executive Director