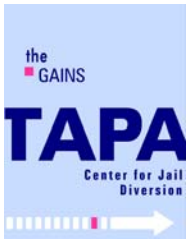



Enrolling Jail Diversion Program Participants in Medicaid, SSI, and SSDI

GAINS TAPA Center for Jail Diversion
Easy Access Net/Teleconference
August 25, 2005

Agenda

- 2:00-2:30 Medicaid SSI/SSDI:
Overview including issues of “fleeing felons”; disability criteria; pre-release agreements and suspension of Medicaid during incarceration
- 2:30-2:40 Debbie MacKie, St. Louis County, MO Jail Diversion Program
- 2:40-2:50 Promising Practices: Deborah Dennis, Policy Research Associates
- 2:50-3:30 Questions and Discussion





Overview of the SSI/SSDI and Medicaid Enrollment Process for Criminal Justice- Involved Individuals

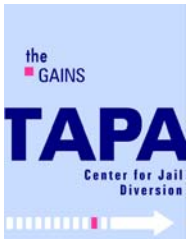
Yvonne M. Perret, MA, MSW, LCSW-C
Advocacy and Training Center
Baltimore, MD

Overview of SSI/SSDI

- **SSA has two disability programs:**
 - **Supplemental Security Income (SSI):**
Disability program for people who are low income and aged, blind or disabled. Income based on need. Includes limits on income and resources for eligibility. Limited federal benefit rate.
 - **Social Security Disability Income (SSDI):**
Based on earnings put into FICA. Income amount dependent on earnings history. No limit on resources.

SSI and SSDI: Similarities

- Both require countable income from earnings to be less than \$830/month (2005), which is Substantial Gainful Activity (SGA) for 2005. (For people who are blind, earnings are \$1,380/month).
- Both have same medical criteria.
- Both have health insurance tied to the program.
- Both have work incentives.
- Both have similar application process



SSI and SSDI: Differences

■ SSI:

- **Limit on resources: \$2,000 for individual applicant**
- **Maximum federal benefit: \$579/mo. (2005)**
- **Living arrangement affects benefit amount**

■ SSDI:

- **No limit on resources**
- **Benefit based on earnings. Average benefit: \$895/mo. (2005)**
- **No effect on benefit from living arrangement.**

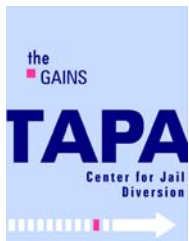
Health Insurance

■ SSI:

- Medicaid eligibility automatic in most states
- Other states require additional eligibility criteria

■ SSDI:

- Provides Medicare after two years of eligibility
- Part D Prescription program begins January, 2006
- Restricted formulary for adults with serious mental illness



Medicaid

Eligibility in General:

- States have different eligibility rules
- Some states have Federal only Medicaid with a state match
- Some states have a state option Medicaid
- States applying for additional waivers that generally reduce Medicaid coverage though it may expand populations
- People cannot be found eligible for Medicaid while in a jail or prison

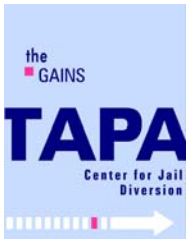
Special Criminal Justice Issues

ELIGIBILITY FOR SSI/SSDI:

- Institutions may have pre-release agreements with SSA, either formally written or informal.
- Individuals institutionalized can apply for SSI benefits within 30 days of their release.
- SSDI applications can be done by phone or on-line. SSI applications require a phone or in-person contact.
- SSA should assign a contact person to the institution to assist with this procedure.
- The individual should inform SSA of any delays in release and should notify SSA when released.
- This may help with decisions on applications sooner.

“Fleeing Felons”

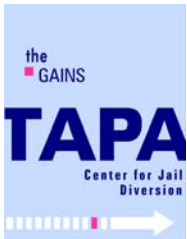
- At time of application for SSI, applicants required to complete “Statement of Claimant”, SSA 795.
- This form asks two main questions:
 - Does the individual have any outstanding felony warrants?
 - If the individual is on parole/probation, is he/she in violation?
- If the answer to one or both of these is yes, these problems must be addressed for the application to move forward.



SSA's Criteria for Disability

To be eligible for either SSI or SSDI, an individual must meet three criteria:

- (1) The person must have a medically determinable physical or mental impairment *that either meets or is equivalent to the listing of impairments that DDS considers.*
- (2) The duration of the impairment must have lasted or be expected to last 12 months or more or result in death.
- (3) The person must show significant functional problems caused by the medical impairment.



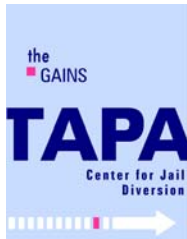
Functional Areas Considered

- **Activities of daily living:** Dressing, bathing, eating, cooking, shopping, transporting oneself, maintaining a place to live, budgeting, washing, using a phone, etc.
- **Social Functioning:** Ability to communicate with and get along with other people.
- **Maintaining Concentration, Persistence and Pace in the Completion of Tasks:** Memory, concentration, following instructions, completing tasks in comparable time period to others, distractibility, focus. Cognitive tasks.
- **Repeated Episodes of Decompensation:** Three or more attempts to work within the last year resulted in symptom increase and inability to maintain employment.

Sequential Evaluation: The Process of Determining Disability

“Sequential Evaluation”—Process used by SSA and DDS to determine disability.

- **Consists of 5 major steps.**
- **Person can be found eligible at step 3 or 5.**
- **Medical records are basis for making determination. Information from others (family, friends, other service providers) also considered.**



Sequential Evaluation: The Steps

Step 1. Is the person making SGA?

If yes, denied.

If no, on to step 2.

Step 2. Does the person have a severe impairment?

If yes, on to step 3.

If no, denied.

Step 3. Does the impairment meet or equal the listing?

If yes, APPROVED!

If no, on to step 4.

Step 4. Does the impairment allow for past relevant work to be done? (*In other words, can the person do work he/she did in the past?*)

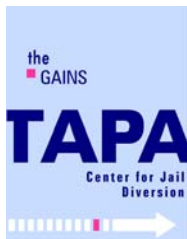
If yes, denied.

If no, on to step 5.

Step 5. Considering the person's age, work history and education, can he/she do any work that exists in national economy?

If yes, denied.

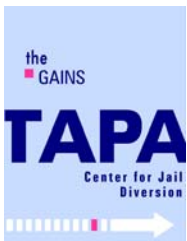
If no, APPROVED!



Special Criminal Justice Issues

Incentive payments: Certain state and local correctional facilities and mental health institutions can receive payment for every SSI recipient disenrolled following incarcerated/hospitalized.

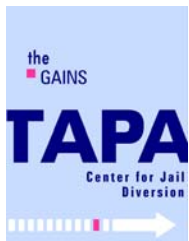
- **To receive payment, the institution must have a signed agreement with SSA.**
- **For every SSI or SSDI recipient suspended from benefits because of information provided, the institution receives: \$400 for information received within 30 days and \$200 for information received 30-90 days after confinement.**



Special Criminal Justice Issues

SUSPENSION/TERMINATION OF SSI/SSDI:

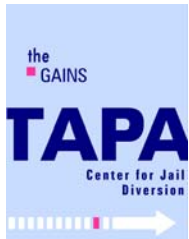
- **SSI is suspended when a person is in a jail or state hospital for a full calendar month.**
- **After 12 months of suspension, SSI benefits are terminated. Upon release, the individual has to re-apply.**
- **SSDI: Continues while in jail prior to conviction of a felony. After such conviction, benefits are suspended. No new re-application is needed to reinstate, simply what's called a "re-determination."**
- **Legal proof of release is required to re-determine benefits.**



Special Criminal Justice Issues

SUSPENSION RATHER THAN TERMINATION OF MEDICAID

- Possible under Federal law
- Requires state legislative approval
- Usual barrier is re-tooling of computer systems that put people in termination rather than suspense if institutionalized.
- Bazelon Center has model law for states to use as guide.



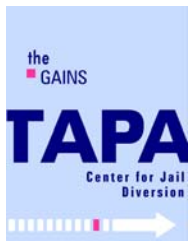


Entitlement Enrollment in St. Louis, MO's Jail Diversion Initiatives

**Debbie MacKie, MS, LPC
BJC Behavioral Health
St. Louis, MO**

Jail Diversion Initiatives in St. Louis County, MO

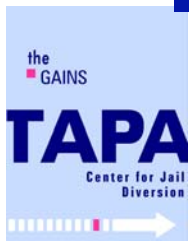
- **Mental Health Court**
- **Post-booking Jail Diversion**
- **Pre-booking through CIT**



GAINS TAPA Center Net/Teleconference: Enrolling Jail Diversion Program Participants in Medicaid, SSI & SSDI

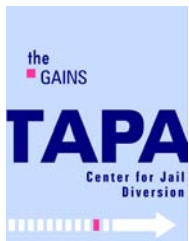
Recognizing the need...

- 5 year federal ACCESS demonstration project (completed in '00) to help homeless individuals with SMI get into service.
- Most of the target pop. lacked ability to go through the normal application process and a large % were involved w/ justice system.
- Establishing internal specialists at the CMHC dramatically increased the likelihood of securing benefits
- Institutionalized for all clients entering services (not just homeless) under Community Services Team.



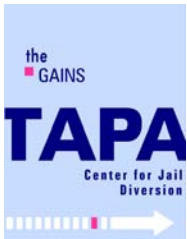
How it works...

- **All** new admissions to service without current coverage are referred to Entitlement Specialist to assist with application.
- Jail Diversion Team Intensive Case Managers are given priority access for scheduling their clients for application.



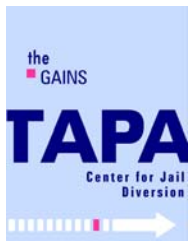
Entitlement Specialist

- Employed by the CMH agency to assist Seriously Mentally Ill consumers in making application for Social Security, Medicaid, and other benefits
- Cross trained by the local Social Security Administration staff, Division of Family Services (Medicaid) staff
- Maintains direct relationships with SSA and DFS staff to facilitate application process



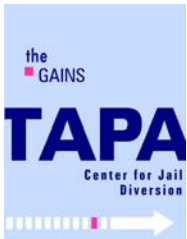
Entitlement enrollment

- All clients are given opportunity to meet with the *Entitlement Specialist* to access needed resources and services.
- Access to benefits is fundamental to reducing homelessness among the mental ill (Sullivan, 2000, p. 1139). Benefits (Burt, 1989; Robertson, 1986; Bybee, 1994; and Landoff, 1997).
- Offenders meet with the Entitlement Specialist who will assist the client in determining their eligibility and applying for the following:



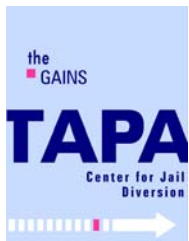
Entitlements and assistance

- Social Security
 - SSI
 - SSDI
- Medicaid
- Food Stamps
- Social Security Card
- Birth Certificates (for housing/employment)
- State ID cards



Div. of Family Services worker

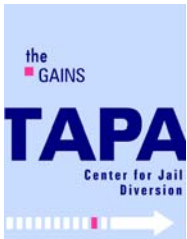
- A DFS worker is also on site to assist clients in completing the
 - Food Stamp application
 - TANF application
- Food Stamps –
 - (\$142 a month for 1 person),
 - Emergency Food Stamps are available and usually takes about 30 days,



Statistics

- **95% of defendants participate**
- **74% successfully completed the program and had their charges dismissed**

- **Social Security Benefits: 26% to 54%**
- **Medicaid: 7% to 68%**
- **Food Stamps: 37% to 47%**



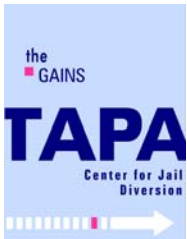


Promising Practices for Enhancing Access to SSA Disability Programs

Deborah Dennis, MA
Policy Research Associates, Inc.
Delmar, NY

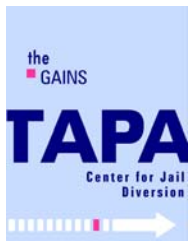
Current Reality...

- Nationally, 37% of SSA disability applications are approved upon initial submission
- Increases to 53% after appeals



What We Know Is Possible...

Approval rates on initial application of 60-95% can be achieved

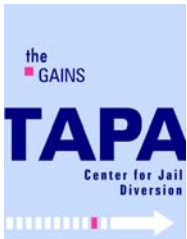


What Does It Take?

- Adequate staffing or collaboration with a provider that assists with SSI applications
- Training
- A focus on the initial application
- Become an applicant's representative (SSA Form 1696)
- Use consultative exams effectively
- Work closely with medical providers
- Relationships with hospital and clinic medical records departments
- Reach out to DDS and SSA
- Develop medical summary reports signed by a physician
- Collecting and reporting on outcomes

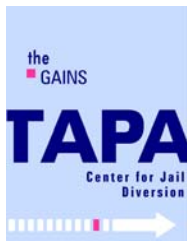
PRA Activities Related to Enhancing Access to SSI

- *Stepping Stones to Recovery* reference manual published by SAMHSA
- *Stepping Stones to Recovery* training curriculum and Train-the-Trainer program
- *Promising Practices for SSI Outreach* – an issue brief based on interviews with more than 25 programs
- SOAR – SSI/SSDI Outreach, Access, and Recovery – Technical Assistance Initiative



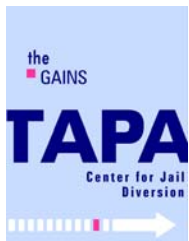
Why SOAR?

- Realized that training wasn't enough
- Line staff were excited about learning new skills, but frustrated by:
 - Lack of agency support
 - Limited access to medical records for documentation
 - No access to physicians, psychologists, and psychiatrists for medical evaluations
 - Poor relationships with DDS and SSA



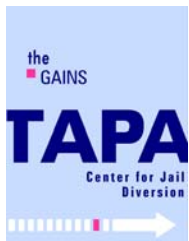
SOAR Technical Assistance Initiative

- Offered to States participating in the Federal Interagency Policy Academies on Homelessness
- Requires collaboration and planning among key stakeholders – Corrections identified as key team member
- Provides technical assistance designed to increase access to SSI in 14 states
- Strategic planning with pilot in 1-2 communities in each State
- Train-the-Trainer program to give each State the capacity to provide on-going training
- Emphasis on measuring outcomes to ensure long-term support and broad dissemination



SOAR States

- Arizona
- Florida
- Georgia
- Hawaii
- Kentucky
- Louisiana
- Montana
- Ohio
- Oklahoma
- Oregon
- Utah
- Virginia
- Washington
- Los Angeles County

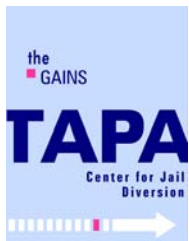


For more information, please feel free to contact...

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