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Res. No. 315

Resolution calling on the United States Congress to pass and the President to sign, H.R.2400, which would amend title XIX of the Social Security Act to allow States to make medical assistance available to inmates during the 30-day period preceding their release.

By Council Members Lee and Brewer

Whereas, Currently, federal law prohibits federal healthcare coverage for incarcerated individuals, except under very limited circumstances, as they are considered 'inmates of a public institution' and barred from receiving Medicaid benefits, even though most detained individuals are Medicaid eligible; and

Whereas, While they receive health care while they are incarcerated, without healthcare coverage in place when they are released, many of these individuals struggle to access mental health and substance use treatments upon community reentry; and

Whereas, In many states, Medicaid coverage is immediately terminated when someone is sent to a correctional institution, which creates a serious coverage gap extending post-release while they seek to reinstitute their benefits, leaving these individuals with no access to health care or addiction treatment during a stressful and dangerous time; and

Whereas, According to the New England Journal of Medicine, individuals reentering society are 129 times likelier than the general population to die of a drug overdose during the first two weeks after release; and

Whereas, Many of these deaths are preventable with appropriate medical, mental health, and substance use interventions, which usually require health insurance; and

Whereas, The federal agency in charge of both Medicare and Medicaid, the Center for Medicare and

Medicaid Services, has argued in favor of adding people back to the Medicaid eligibility list "immediately upon release from a correctional facility"; and

Whereas, H.R.2400 sponsored by U.S. House Representative Paul Tonko, seeks to expand access to addiction treatment and other health services for Medicaid-eligible individuals by granting states the authority to restart Medicaid services for incarcerated individuals 30 days before their release; and

Whereas, H.R.2400 would make it easier for states to coordinate effective addiction treatment and other health services, allowing for a reduced risk of overdose deaths post-release; and

Whereas, Incarcerated people and those released from incarceration face poverty, unemployment, and disproportionately high rates of disability, disease, and illness, however, Medicaid is a tool that can be utilized to expand healthcare coverage and reduce the number of preventable deaths after release; now, therefore, be it

Resolved, That the Council of the City of New York calls on the United States Congress to pass and the President to sign, H.R.2400, which would amend title XIX of the Social Security Act to allow States to make medical assistance available to inmates during the 30-day period preceding their release.

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