Resolution #705-07
Loss of Federal Entitlement Benefits

WHEREAS, U.S. Code of Federal Regulations, Title 42, Part 435.1009 states that federal financial participation (FFP) is not available in expenditures for services provided to individuals who are inmates of public institutions, and

WHEREAS, States being unable to assume the federal share of providing medical services to FFP eligible persons being held in county jails and detention facilities, tend to terminate or sometimes suspend eligibility, and

WHEREAS, this immediate cessation of benefits occurs prior to the issuance of formal charges or conviction, and

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

WHEREAS, as the result of this regulation to immediately cease FFP for medical benefits, all costs of medical care must be borne solely by counties;

NOW THEREFORE BE IT RESOLVED that the Mitchell County Board of Supervisors requests and strongly urges Congress to amend necessary federal regulation to allow federal financial participation for medical benefits to incarcerated individuals until convicted and sentenced to secure detention.

Dated this 13th day of February, 2007

Stan Walk, Chairman

Bob Marreel

Joel Voaklander

ATTEST:
Lowell Tesch
Mitchell County Auditor