

2. Institutional Status

An individual must not be a resident of a public or private institution, defined as follows:

Public Institution: Institution which provides shelter, custody and care, and for which a governmental unit has responsibility or exercises administrative control.

Private Institution: Non-governmental institution which provides shelter, custody and care, and which is required by State law to have a license to operate.

An individual is not a resident of an institution under the following circumstances:

a. Educational or Training Institution

He is living in an institution for the purpose of securing education or training. Examples include Rehabilitation Services centers, West Virginia Schools for the Deaf and Blind, and any college or institution of education.

b. General Medical Institution

He is a patient in any section of an institution which has been certified as a medical facility under Medicare or Medicaid standards. Examples include general medical hospitals and licensed nursing homes. An individual residing in an institution who is incapable to state intent of residence is considered a resident in the state of which he lives.

Incarcerated Individuals

An individual is an inmate of a public institution, or incarcerated, when serving time for a criminal offense or confined involuntarily in State or Federal prisons, jails, detention facilities, or other penal facilities.

Common Eligibility Requirements

An individual is not considered incarcerated when they are:

- on probation, parole, or home confinement;
- voluntarily residing in a public educational or vocational training institution for purposing of securing an education; or
- voluntarily residing in a public institution while other living arrangements appropriate to the individuals needs are being made,

Incarcerated individuals who meet all other eligibility criteria may be eligible for Medicaid; however, payment is limited to Medicaid covered services when admitted as an inpatient in a medical institution for at least 24 hours, such as a hospital, nursing facility, juvenile psychiatric facility, or intermediate care facility. Medicaid does not cover any other service while the individual is incarcerated.

Incarcerated individuals must have their living arrangement coded correctly in the data system. Information from the eRAPIDS data system will notify the MMIS data system of the Medicaid recipients' incarcerated status.

3. Out-Of-State Travel

a. Visiting

Temporary visits out-of-state with the intent to return, do not affect the individual's state of residence.