

THE COUNTY MEDICAL INDIGENCY PROGRAM IN IDAHO

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THE COUNTY PROGRAM

- Counties are required to pay for necessary medical services provided to their residents if the statutory requirements are met.
- The resident's county pays the first \$11,000 and the remainder is paid by the state through the Catastrophic Healthcare Cost Program.
- Providers must accept 95% of the Medicaid rate as payment in full.

BASIC REQUIREMENTS

1. A Timely Filed Application –
§ § 31-3502(7), 31-3505
2. Timely Submitted Medical Records and
Medical Claims – § 31-3504(5)
3. Medically Indigent – § 31-3502(17), (25)
4. Residency – § § 31-3501(24), 31-3506
5. Necessary Medical Services – § 31-
3501(18)

A TIMELY FILED APPLICATION

- Emergency Treatment or Hospitalization – within 31 days of the first day of applied for treatment – § 31-3505(2)-(3)

- (2) A completed application for emergency necessary medical services shall be filed with the clerk any time within thirty-one (31) days beginning with the first day of the provision of necessary medical services from the provider, except as provided in subsection (3) of this section.
- (3) In the case of hospitalization, a completed application for emergency necessary medical services shall be **filed with the department** any time within thirty-one (31) days of the date of admission.

IDAHO CODE § 31-3505 (emphasis added)

(12) "Emergency service" means a service provided for a medical condition in which sudden, serious and unexpected symptoms of illness or injury are sufficiently severe to necessitate or call for immediate medical care.

IDAHO CODE § 31-3502

A TIMELY FILED APPLICATION

- Non-Emergency Treatment – 10 days prior to receiving services – § 31-3505(1)

- (1) An application for nonemergency necessary medical services shall be filed with the clerk ten (10) days prior to receiving services from the provider or the hospital.

IDAHO CODE § 31-3505 (emphasis added)

MEDICALLY INDIGENT

- Definition - §31-3502(17)

- (17) "Medically indigent" means any person who is in need of necessary medical services and who, if an adult, together with his or her spouse, or whose parents or guardian if a minor or dependent, does not have income and other **resources available to him** from whatever source sufficient to pay for necessary medical services. Nothing in this definition shall prevent the board and the county commissioners from requiring the applicant and obligated persons to reimburse the county and the catastrophic health care costs program, where appropriate, for all or a portion of their medical expenses, when investigation of their application pursuant to this chapter, determines their ability to do so.

IDAHO CODE § 31-3502 (emphasis added)

MEDICALLY INDIGENT

- Definition – § 31-3502(17)
- Resources – § 31-3502(25)

- (25) "Resources" means all property, for which an applicant and/or an obligated person may be eligible or in which he or she may have an interest, whether tangible or intangible, real or personal, liquid or non-liquid, or pending, including, but not limited to, all forms of public assistance, crime victim's compensation, worker's compensation, veterans benefits, Medicaid, Medicare, supplemental security income (SSI), third party insurance, other insurance or apply for Section 1011 of the Medicare Modernization Act of 2003, if applicable, and any other property from any source. Resources shall include the ability of an applicant and obligated persons to pay for necessary medical services, excluding any interest charges, over a period of up to five (5) years starting on the date necessary medical services are first provided.

RESIDENCY

- Definition - § 31-3502(24)

- (24) "Resident" means a person with a home, house, place of abode, place of habitation, dwelling or place where he or she actually lived for a consecutive period of thirty (30) days or more within the state of Idaho. A resident does not include a person who comes into this state for temporary purposes, including, but not limited to, education, vacation, or seasonal labor. Entry into active military duty shall not change a person's residence for the purposes of this chapter. Those physically present within the following facilities and institutions shall be residents of the county where they were residents prior to entering the facility or institution:
- (a) Correctional facilities;
 - (b) Nursing homes or residential or assisted living facilities;
 - (c) Other medical facility or institution.

IDAHO CODE § 31-3502

RESIDENCY

- Definition – § 31-3506(24)
- Obligated County – § 31-3506(2)

(2) The obligated county for payment of necessary medical services for medical indigent individuals shall be as follows:

- (a) **The last county in which the applicant or head of household has maintained a residence for six (6) consecutive months** or longer within the past five (5) years preceding application shall be obligated. If the applicant or head of household maintains another residence in a different county or state for purposes of employment, the county where the family residence is maintained shall be deemed the applicant's or head of household's place of residence.
- (b) If an individual has not resided in any county for a period of six (6) months within the five (5) years preceding incurrence of medical costs for which counties have a responsibility, in whole or in part, then the county where the applicant maintained a residence for at least thirty (30) days immediately preceding such incurrence shall be the obligated county.

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NECESSARY MEDICAL SERVICES

- Definition – § 31-3502(18)

(18) A. "Necessary medical services" means health care services and supplies that:

- (a) Health care providers, exercising prudent clinical judgment, would provide to a person for the purpose of preventing, evaluating, diagnosing or treating an illness, injury, disease or its symptoms;
- (b) Are in accordance with generally accepted standards of medical practice;
- (c) Are clinically appropriate, in terms of type, frequency, extent, site and duration and are considered effective for the covered person's illness, injury or disease;
- (d) Are not provided primarily for the convenience of the person, physician or other health care provider;
- (e) Are the most cost-effective service or sequence of services or supplies, and at least as likely to produce equivalent therapeutic or diagnostic results for the person's illness, injury or disease.

IDAHO CODE § 31-3502

REIMBURSEMENT ISSUES

- Automatic Lien Provision – § 31-3504(4)
- Reimbursement – § 31-3510A(1)

OBLIGATIONS OF THE COUNTY

- **Duty to Investigate** – It is the duty of the county to investigate. It is also the duty of the county to interview the patient. An Idaho Supreme Court case says the county has a duty to investigate even if the patient refuses to cooperate.
 - Counties have the subpoena power.

CONCLUSION

- The county process is not without its challenges, but does assist patients in resolving their medical debt and is an important source of recovery for providers. The process works best when the county and providers work together such that a determination can be made regarding eligibility.

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