

California Code, Penal Code - PEN § 4011.11

(a)(1) The board of supervisors in each county, in consultation with the county sheriff, may designate an entity or entities to assist county jail inmates with submitting an application for a health insurance affordability program consistent with federal requirements.

(2) The board of supervisors shall not designate the county sheriff as an entity to assist with submitting an application for a health insurance affordability program for county jail inmates unless the county sheriff agrees to perform this function.

(3) If the board of supervisors designates a community-based organization as an entity to assist with submitting an application for a health insurance affordability program for county jail inmates, the designation shall be subject to approval by the jail administrator or his or her designee.

(b) The jail administrator, or his or her designee, may coordinate with an entity designated pursuant to subdivision (a).

(c) Consistent with federal law, a county jail inmate who is currently enrolled in the Medi-Cal program shall remain eligible for, and shall not be terminated from, the program due to his or her detention unless required by federal law, he or she becomes otherwise ineligible, or the inmate's suspension of benefits has ended pursuant to [Section 14011.10 of the Welfare and Institutions Code](#) .

(d) Notwithstanding any other state law, and only to the extent federal law allows and federal financial participation is available, an entity designated pursuant to subdivision (a) is authorized to act on behalf of a county jail inmate for the purpose of applying for, or determinations of, Medi-Cal eligibility for acute inpatient hospital services authorized by [Section 14053.7 of the Welfare and Institutions Code](#) . An entity designated pursuant to subdivision (a) shall not determine Medi-Cal eligibility or redetermine Medi-Cal eligibility, unless the entity is the county human services agency.

(e) The fact that an applicant is an inmate shall not, in and of itself, preclude a county human services agency from processing an application for the Medi-Cal program submitted to it by, or on behalf of, that inmate.

(f) For purposes of this section, "health insurance affordability program" means a program that is one of the following:

- (1) The state's Medi-Cal program under Title XIX of the federal Social Security Act.
- (2) The state's children's health insurance program (CHIP) under Title XXI of the federal Social Security Act.
- (3) A program that makes coverage in a qualified health plan through the California Health Benefit Exchange established pursuant to [Section 100500 of the Government Code](#) with advance payment of the premium tax credit established under [Section 36B of the Internal Revenue Code](#) ¹ available to qualified individuals.
- (4) A program that makes available coverage in a qualified health plan through the California Health Benefit Exchange established pursuant to [Section 100500 of the Government Code](#) with cost-sharing reductions established under Section 1402 of the federal Patient Protection and Affordable Care Act ([Public Law 111-148](#)) ² and any subsequent amendments to that act.
- (g) Notwithstanding Chapter 3.5 (commencing with [Section 11340](#)) of Part 1 of Division 3 of Title 2 of the Government Code , the department may implement this section by means of all-county letters or similar instructions, without taking regulatory action.