

## **ADPH Policy: ADAP Enrollees who are Incarcerated - Updated 2022**

### **City or County Jail**

At which time an ADAP enrollee is in a city or county jail that does not contract with a healthcare provider to provide medication services, the individual will **continue to be eligible** to receive ADAP medication services.

- To ensure the Ryan White HIV/AIDS Program remains payer of last resort for medication services, the city or county jail must provide written documentation to the ADPH ADAP Central Office that the city or county jail that does not contract with a health care provider to pay for medication services for individuals with HIV. Documentation must be submitted for each client.
- ADAP medications will continue to be shipped by the Pharmacy Benefits Manager or MAO to the incarcerated ADAP enrollee's clinic for the clinic to provide to the enrollee while in the city or county jail.
- This policy applies to persons who are in county or city "work release" programs as they are still under the care and custody of a city or county jail.

If the ADAP Enrollee is transferred to a state or federal prison, the clinic must notify the ADAP central office **immediately** and follow the guidelines outlined below.

### **Federal or State Prison**

At which time an ADAP enrollee is incarcerated in a State or Federal prison, the individual is **no longer eligible** for ADAP medication services.

- The clinic must notify the ADPH ADAP Central Office immediately when an ADAP enrollee is incarcerated by noting the enrollment revision "due to incarceration" on the Assessment tab under Disenrollment application in Service Point.
- The incarcerated enrollee will be placed on "Terminated ADAP enrollment" status, and the Pharmacy Benefits Manager will be notified to stop all further medication shipments.

**The incarcerated client may reapply as a new applicant once released.**

### **Probation and Parole**

Persons who are on probation, parole, or house arrest, may apply for ADAP enrollment because they are living in the community and are not in the care or custody of a jail or prison system, although they may be reporting to a parole or probation officer.

**NOTE:** When there is an ADAP waiting list, the applicant's name will be placed at the end of the waiting list and added to active ADAP on a first come first serve basis if compliant with Date of Birth Cycle and is determined to be eligible for active enrollment at that time by the Eligibility Specialist.

**Federal policy:** HRSA Policy Notice 18-02, "The Use of Ryan White HIV/AIDS Program Funds for Core Medical Services and Support Services for People Living with HIV Who Are Incarcerated and Justice Involved" <https://ryanwhite.hrsa.gov/sites/default/files/ryanwhite/grants/pcn-18-02-people-who-are-incarcerated.pdf>

**State policy:** Opinion 2004-17 dated October 28, 2003 to Chambers County Attorney Claud E. McCoy, Jr. Section 14-6-22 Code. Costs and Expenses – Prisons and Prisoners – Medial Expenses and Municipalities – County Jails.