

ForwardHealth **UPDATE**

Wisconsin serving you

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CHANGES TO MEMBER ENROLLMENT DURING INCARCERATION

Effective immediately, BadgerCare Plus and Medicaid SSI members who are incarcerated for 30 or more calendar days must be enrolled in fee-for-service Wisconsin Medicaid. Such members will be removed from BadgerCare Plus and Medicaid SSI HMOs that they had been previously enrolled in.

Members are identified as incarcerated if their circumstance meets the federal definition of inmate of a public institution, per 42 C.F.R. § 435.1010.

This change does not affect the member's eligibility for Wisconsin Medicaid.

Members Incarcerated 30 Calendar Days or Longer

When ForwardHealth learns that a member's incarceration status has been longer than 30 days, it will retroactively disenroll that member from any HMO. Medicaid fee-for-service coverage will begin the first

AFFECTED PROGRAMS

BadgerCare Plus, BadgerCare Plus HMOs, Medicaid, SSI HMOs

TO

All Providers, HMOs and Other Managed Care Programs

QUICK LINKS

Persons Detained by Legal Process topic [#278](#)

The information provided in this ForwardHealth Update is published in accordance with Social Security Act § 1905(a)(30)(A).

day of the month when the member's incarceration began. For example, if a member was incarcerated on October 10, 2024, ForwardHealth will:

1. End date their HMO enrollment effective September 30, 2024.
2. Enroll them in fee-for-service Medicaid effective October 1, 2024.

ForwardHealth can disenroll the member retroactively for up to 12 months.

If an HMO reprocesses and denies a paid claim for dates between the first of the month and the date of the member's incarceration, the provider may submit the [claim](#) to fee-for-service Medicaid. Refer to the ForwardHealth Online Handbook Submission Deadline topic [#547](#) for more information.

More information on the policy for incarcerated members can be found in:

- The Persons Detained by Legal Process topic [#278](#).
- The State Prison Inmates May Qualify for BadgerCare Plus or Wisconsin Medicaid During Inpatient Hospital Stays topic [#16657](#).

Members Incarcerated Less Than 30 Calendar Days

Members incarcerated for less than 30 days will remain enrolled in their HMOs. However, providers must bill any inpatient hospital stays and professional services associated with hospital stays for such members to fee-for-service Medicaid. To submit these claims, providers should follow the directions in Extraordinary Claims topics [#365](#) and [#387](#).

Claim Submission for Inpatient Hospital Stays

If an incarcerated member has any inpatient hospital stays that cause them to be outside of jail or prison for 24 hours or more, the provider should bill these and any related professional services as fee for service.

“Most individuals detained by legal process who are eligible for BadgerCare Plus or Wisconsin Medicaid benefits will have their eligibility suspended during their detention period. During the suspension, ForwardHealth will only cover inpatient services received while the member is outside of jail or prison for 24 hours or more.”

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Documentation Retention

Providers are reminded that they must follow the documentation retention requirements per Wis. Admin. Code § [DHS 106.02\(9\)](#). Providers are required to produce or submit documentation, or both, to the Wisconsin Department of Health Services (DHS) upon request. Per Wis. Stat. § [49.45\(3\)\(f\)](#), providers of services shall maintain records as required by DHS for verification of provider claims for reimbursement. DHS may audit such records to verify the actual provision of services and the appropriateness and accuracy of claims. DHS may deny or recoup payment for services that fail to meet these requirements. Refusal to produce documentation may result in denial of submitted claims, recoupment of paid claims, application of intermediate sanctions, or termination from the Medicaid program.

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The ForwardHealth Update is the first source of program policy and billing information for providers.

Wisconsin Medicaid, BadgerCare Plus, SeniorCare, and Wisconsin Chronic Disease Program are administered by the Division of Medicaid Services within the Wisconsin Department of Health Services (DHS). The Wisconsin AIDS Drug Assistance Program and the Wisconsin Well Woman Program are administered by the Division of Public Health within DHS.

For questions, call Provider Services at 800-947-9627 or visit our website at www.forwardhealth.wi.gov/.