

# Due Process Continuity of Care Act

H.R.1510 / S.1720

Overdose  
Prevention  
Initiative

## ***What it does***

*Preserves federal benefits for pre-trial detainees*

## ***How it prevents drug overdose***

*Provides jails and prisons with the funding they need to initiate or continue treatment for detainees*

## ***Who is leading it***

*Reps. Mike Turner (R-OH-10) and Maxine Dexter (D-OR-03)*

*Sens. Bill Cassidy (R-LA) and Jeff Merkley (D-OR)*

### **Effective addiction treatment is rarely available in jails and prisons.**

- The Medicaid Inmate Exclusion Policy prohibits federal funds and services from being used for inmate medical care. This includes pre-trial detainees.
- With federal funding being cut off to inmates in correctional facilities, the costs of care falls onto local jails and taxpayers. It has been estimated that \$3.34 billion per year is spent on health care for pre-trial inmates.
- The disruption of essential health services causes significant consequences for inmates and correctional facilities, leading to resulted in higher rates of recidivism, increased health care costs, and overall poorer health outcomes for inmates with mental health and substance use disorders.

**41% of people arrested meet the criteria for substance use disorder, underscoring an urgent need for screening and effective treatment in jails and prisons.**

### **The Due Process Continuity of Care Act can restore access to lifesaving treatment.**

- The Due Process Continuity of Care Act would permit incarcerated individuals to remain eligible for Medicaid benefits prior to conviction.
- This act would ensure an individual's rights and presumption of innocence are protected and allow these individual's access to treatment during this period to remain intact.
- A strong public health approach is also a public safety strategy. Ensuring consistent access to care reduces relapse and reoffending, keeping communities safer.