1. **PURPOSE:** This Veterans Health Administration (VHA) Directive establishes policy for the provision of medical benefits to eligible Veterans released from prison or jail to a corrections-funded temporary housing program, such as a community residential reentry center, halfway house, work release center, or similar residential facility. These facilities provide a structured, supervised residential environment to facilitate inmates’ reintegration into the community; programs and services vary, but may include employment counseling, job placement, and financial management assistance.

2. **BACKGROUND:**
   
   a. Nationally, corrections-funded temporary housing programs house an estimated minimum 3,000 reentry Veterans for an average length of stay of approximately 3 months. Veterans in these programs are still in correctional custody, yet these programs are typically located in the community, and Veterans in them often hold employment and may earn unsupervised home visits.
   
   b. Prior to April 1, 2011, 38 CFR § 17.38 (c) (5) has been interpreted to render these Veterans ineligible for the VA medical benefits package.
   
   c. Corrections-funded temporary housing programs usually require participants to sign a waiver agreeing to arrange for their own medical and psychiatric care while residing in the program. A lack of appropriate medical and psychiatric care in the community places Veterans at risk for unsuccessful reentry to the community, including recidivism.
   
   d. This cycle defeats the intent of VHA’s reentry work with veterans, is wasteful of VHA resources allocated to reentry services, and undermines the community readjustment and health of Veterans.
   
   e. This Directive establishes policy for providing medical benefits to Veterans formerly excluded under 38 CFR § 17.38 (c) (5), Medical Benefits Package. In a Final Rule published on March 2, 2011 in the Federal Register, Volume 76, page 41, the regulation was amended to read: “Hospital and outpatient care for a veteran who is either a patient or inmate in an institution of another government agency if that agency has a duty to give the care or services. This exclusion does not apply to veterans who are released from incarceration in a prison or jail into a temporary housing program (such as a community residential re-entry center or halfway house)”. These changes are effective on April 1, 2011.

3. **POLICY:** It is VHA policy to provide Veterans who are released from incarceration in prison or jail into a temporary housing program access to enrollment under VA’s Enrollment Regulation, 38 C.F.R. §17.36. Veterans determined to be eligible for enrollment shall be afforded VA’s full medical benefit package on the same basis as any eligible enrolled Veteran.
VHA DIRECTIVE 2011-XXX
Date

4. ACTION

   a. Medical Facility Director. The Medical Facility Director is responsible for ensuring:

      (1) Veterans who are released from prison or jail into a temporary housing program are afforded every opportunity to enroll into the VA health care system.

      (2) Veterans determined to be eligible for enrollment will be provided needed medical care and services.

   b. Medical Center Enrollment Coordinator: The Medical Center Enrollment Coordinator is responsible for ensuring eligibility staff receive necessary training on determining eligibility and enrollment of incarcerated Veterans released from prison or jail into a temporary housing program.

5. REFERENCES:


   b. 38 C.F.R. §17.36

6. FOLLOW-UP RESPONSIBILITY: The Chief Business Office is responsible for eligibility and enrollment related questions. Questions concerning eligibility or enrollment may be referred to (202) 461-1589. Veterans Justice Programs is responsible for facilitating access to VA health care for incarcerated Veterans reentering the community. Questions concerning this program may be referred to (202) 461-1931.

7. RECISSIONS: None. This VHA Directive expires XXX.

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Under Secretary for Health

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