

# MISSISSIPPI DIVISION OF MEDICAID

## Eligibility Policy and Procedures Manual

### 102.11.01 INSTITUTIONS

An institution is an establishment that provides food, shelter and some treatment or services to four or more person unrelated to the proprietor.

#### Public Institutions

A **public** institution is an institution which is the responsibility of a government unit or over which a governmental unit exercises administrative control including:

- A penal institution or correctional facility is a facility under the control and jurisdiction of the governmental agency in charge of the penal system or a facility in which convicted criminals can be incarcerated, such as a hospital for the criminally insane. This includes state prisons which operate their own hospitals; state mental hospitals and privately-owned prisons under contract to a correctional facility.
- An institution for mental diseases (IMD) is a hospital, nursing facility or other institution of more than 16 beds which is primarily engaged in providing diagnosis and treatment or care, including medical attention, nursing and convalescent care and related services, to persons with mental diseases.
- Intermediate Care Facility for the Mentally Retarded provides active treatment for individuals with mental retardation.

**NOTE:** A VA nursing facility falls under the definition of a public institution.

#### Medical Institutions

A **medical** institution is not considered a public institution. Residents may receive Medicaid benefits if otherwise eligible. A medical institution is one that:

- Is organized to provide medical care, including nursing and convalescence care;
- Has the necessary professional personnel, equipment and facilities to manage the medical, nursing and other health needs of patients on a continuing basis in accordance with accepted standards;
- Is authorized under state law to provide medical care; and
- Is staffed by professional personnel who provide professional medical and nursing services.