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- **Request for Information Regarding State Flexibility To Establish a Basic Health Program Under the Affordable Care Act (CMS-9980-NC)**
- **Patient Protection and Affordable Care Act; Establishment of Exchanges and Qualified Health Plans (CMS-9989-P)**

NIHB UPDATES

NIHB Comments on Proposed Rules Related to ACA

The National Indian Health Board commented on six proposed federal rules related to the implementation of the Affordable Care Act on October 31st. Five of the proposed rules were issued by the Centers for Medicare and Medicaid Services (CMS), regarding eligibility for federal health coverage and the establishment of new state-run health insurance exchanges (online marketplaces where consumers can compare pricing and services to choose the best health insurance option for themselves and their families):

- **Patient Protection and Affordable Care Act; Medicaid Program; Eligibility Changes Under the Affordable Care Act of 2010 (CMS-2349-P)**
- **Patient Protection and Affordable Care Act; Exchange Functions in the Individual Market: Eligibility Determinations; Exchange Standards for Employer (CMS-9974-P)**

The final proposed rule was issued by the Internal Revenue Service (IRS), regarding a new tax credit for individuals and families to aid in the purchase of health insurance through a state insurance exchange:

- **Health Insurance Premium Tax Credit (IRS REG-131491-10)**

To view the comments, please visit:

http://www.nihb.org/legislative/healthcare_reform.php

HILL UPDATES

Budget Experts Tell Supercommittee to Revamp Health Programs

In the wake of a partisan rush to generate deficit reduction proposals last week, the Joint Select Committee on Deficit Reduction (Supercommittee) heard from prominent members of previous deficit panels on November 1st. Two Democrats and two Republicans with expertise in federal budget policy, as well as



experience similar to that of the Supercommittee, spoke before the panel:

- Erskine Bowles, former Chief of Staff to the Clinton White House, Co-chair National Commission on Fiscal Responsibility and Reform
- Sen. Alan Simpson (R-WY) former Senator, Co-chair National Commission on Fiscal Responsibility and Reform
- Alice Rivlin, Vice-chair of the Federal Reserve and Director of the Office of Management and Budget under President Clinton, first director of the Congressional Budget Office (CBO), member of National Commission on Fiscal Responsibility and Reform, Co-chair of the Debt Reduction Task Force at the Bipartisan Policy Center
- Sen. Pete Domenici (R-NM), former Senator, former Chairman of the Senate Committee on the Budget, Co-chair of the Debt Reduction Task Force at the Bipartisan Policy Center

All of the witnesses urged both parties to make concessions in a final proposal that would reduce the nation's debt warning that failure would be disastrous for the country. Ms. Rivlin warned that failure could cause another recession.

The experts encouraged Supercommittee members to seek deficit reduction higher than the \$1.2 trillion required of them, and to take a balanced approach. Previous proposals (one authored by Simpson and Bowles, and one by Rivlin and Domenici) have relied on increases in revenue, as well as changes to entitlement programs.

Rivlin and Domenici offered the Supercommittee their model for Medicare savings, as it appeared in their plan. They are suggesting a "premium support" model in which elders are given the choice between traditional Medicare or a federally-subsidized voucher for private insurance. Insurance companies would be required to cover anyone seeking a plan and those taking on higher risk patients would receive federal compensation.

Erskine Bowles discussed a number of options for achieving savings in Medicare, including negotiating for prescription drug prices, tort reform, and increasing the eligibility age. Bowles said the health care law's health insurance exchanges could cover those seniors not yet eligible.

Regardless of which approach is taken, it seems the Supercommittee is under pressure, both to search for a higher level of deficit reduction and to make bold reforms by November 23rd. However, with less than one month until their deadline for a plan, many are concerned with whether they will even hit the mark of \$1.2 trillion.

Both parties have sent pieces of plans offered last week to the Congressional Budget Office (CBO) to be "scored" or evaluated for impact, but there are no signs of any compromise.

To see a video and read testimony from the Supercommittee's hearing on previous deficit reduction plans, click [here](#).

ADMINISTRATION UPDATES

OPM Provides Update on FEHB

This week, OPM announced that Indian Tribes, Tribal organizations and urban Indian organizations may purchase Federal Employees Health Benefits (FEHB) coverage for their employees beginning in Spring of 2012. The earliest effective date of coverage for these employees is May 1, 2012. Tribes, Tribal organizations and urban Indian organizations may also purchase FEHB coverage effective after this date.

This new benefit was included in the Affordable Care Act as a part of the permanent reauthorization of the Indian Health Care Improvement Act.

OPM is partnering with the National Finance Center (NFC), who will serve as the service provider for this program. NFC serves as the



payroll provider for the Temporary Continuation of Coverage program. An administrative load of less than 1.75% of average FEHB premium will be charged for NFC's services.

OPM and NFC are also working with a Tribal Technical Work Group to finalize operational details related to the program. This Work Group is comprised of individuals from Tribes, Tribal organizations and urban Indian organizations of various sizes and geographic locations. There will be an initial meeting with this group on November 8th and future meetings will happen monthly.

For more information on FEHB and Tribes, click [here](#).

HHS Reports Self-Governance Expansion Actions and Announces New Workgroup

Recently, the Health and Human Services (HHS) Intradepartmental Council on Native American Affairs (ICNAA) and Secretary Sebelius's Tribal Advisory Committee reviewed options to expand tribal self-governance beyond the Indian Health Service (IHS) and into other operating divisions within HHS. On October 25th, HHS provided an update of this review, announced two opportunities for tribal feedback, and requested nominations for a new Self-Governance Tribal Federal Workgroup.

The letter reports that HHS found that it does not have the authority to expand self-governance to other operating divisions. In spite of this, HHS intends to continue exploring opportunities to expand tribal self-governance through a demonstration program. Through a series of questions, HHS is requesting comments from Tribes as to how self-governance would function in 11 programs proposed in a 2003 feasibility study.

HHS will be holding two in-person sessions to discuss this topic and intends to pursue it further through the work of a newly established tribal federal workgroup.

HHS is currently seeking nominations for this workgroup. All nominations are due **Friday, December 9, 2011**. In addition, ICNAA is looking for responses to self-governance related questions. All questions are included in the Dear Tribal Leader Letter released last week and all responses are due **Friday, December 23, 2011**. For details about nominations and pending questions, click [here](#).

White House Announces 2011 Tribal Nations Conference

On Friday, December 2, 2011, President Obama will host the White House Tribal Nations Conference at the Department of the Interior. As part of President Obama's ongoing outreach to the American people, this conference will provide leaders from the 565 federally recognized tribes the opportunity to interact directly with the President and representatives from the highest levels of his Administration. Each federally recognized Tribe will be invited to send one representative to the conference.

Please RSVP with the full name (including full middle name), position, tribe, social security number, date of birth, country of citizenship, country of birth, gender, current city and state of residence, e-mail and telephone number of your tribe's representative to tribalnationsconference@who.eop.gov or fax a letter to (202) 456-1647, attention Tribal Nations Conference, by **10 p.m. EST on Wednesday, November 16, 2011**. Following the registration deadline, you will receive confirmation and further instructions.

The Conference will be held at the Department of the Interior's Sidney R. Yates Auditorium from 8:30 a.m. to 3:00 p.m. Additionally, each federally recognized Tribe is invited to attend a smaller regional briefing and listening session at the Eisenhower Executive Office Building on either Wednesday, November 30 or Thursday, December 1, 2011, with senior members of President Obama's Administration. For more information, please see the [draft agenda](#) and [FAQs](#).





You are cordially invited to attend

**National Indian Health Board's
29th ANNUAL CONSUMER
CONFERENCE**

*Celebrating
NIHB'S 40th Anniversary*

**September 24- 28, 2012
DENVER, COLORADO**

Sign Up for Washington Report, at:
http://www.nihb.org/legislative/washington_report.php

For More Information Contact:
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UPCOMING EVENTS

**SENATE COMMITTEE ON INDIAN AFFAIRS
LEGISLATIVE HEARING ON, S.1763 *THE
SAVE NATIVE WOMEN ACT* AND S.1192
*THE ALASKA SAFE FAMILIES AND
VILLAGES ACT***

DATE: NOVEMBER 10TH
TIME: 2:15 PM

**SENATE HELP COMMITTEE HEARING ON,
"IMPROVING QUALITY, LOWERING COSTS:
THE ROLE OF HEALTH CARE DELIVERY
SYSTEM REFORM"**

DATE: NOVEMBER 10TH
TIME: 2:30 PM
LOCATION: 430 DIRKSEN SENATE OFFICE
BUILDING

**MEDICARE MEDICAID POLICY
COMMITTEE (MMPC) FACE-TO-FACE
MEETING**

DATE: NOVEMBER 15TH
TIME: 9:00 AM – 5:00 PM
LOCATION: 1331 G CONFERENCE CENTER
1331 G STREET, NW
SUITE 300
WASHINGTON, DC 20005

CMS-TTAG FACE-TO-FACE MEETING

DATE: NOVEMBER 16TH AND 17TH
LOCATION : NATIONAL MUSEUM OF THE
AMERICAN INDIAN, WASHINGTON, DC

**WHITE HOUSE TRIBAL NATIONS
CONFERENCE**

DATE: DECEMBER 2ND
LOCATION: WASHINGTON, DC

