



Tribal Technical Advisory Group



To the Centers for Medicare & Medicaid Services

c/o National Indian Health Board | 910 Pennsylvania Avenue, SE | Washington, DC 20003 | (202) 507-4070 | (202) 507-4071 fax

March 17, 2023

The Honorable Chiquita Brooks-LaSure
Administrator
Centers for Medicare and Medicaid Services
U.S. Department of Health and Human Services
7500 Security Boulevard
Baltimore, MD 21244

Re: CMS Tribal Technical Advisory Group Priorities

Dear Administrator Brooks-LaSure:

On behalf of the CMS Tribal Technical Advisory Group (TTAG), I write to provide you the TTAG policy priorities. The full TTAG membership formally adopted these priorities during its March 15-16, 2023 meeting.

As you know, the TTAG serves as an advisory body to CMS, providing expertise on policies, guidelines, and programmatic issues affecting the delivery of health care for American Indians and Alaska Natives (AI/ANs) served by Medicare, Medicaid, CHIP, or any other health care program funded by CMS. The attached TTAG regulatory/administrative and legislative priorities can provide a roadmap for CMS to address health equity in the Indian health system.

The TTAG regulatory/administrative priorities propose specific steps CMS can take, on its own authority, to expand the Medicaid services available to AI/ANs, empower Tribal programs to design and tailor Medicare and Medicaid services to their unique needs and cultures, as well as to provide more uniform and equitable Medicare and Medicaid reimbursement to Tribal programs. For example, the current priorities call on CMS to:

- Expand Medicaid and Medicare coverage of telehealth services, including audio-only services, to the greatest extent possible, and reimburse these services at the same rate as in-person services.
- Revise its interpretation of the Medicaid “clinic” benefit to eliminate the “four walls” restriction and to cover services furnished by clinic staff in schools, community centers, patients’ homes, and any other appropriate location.

The TTAG legislative priorities propose changes that are beyond CMS’s current authority and would require changes to federal statutes. While CMS generally cannot advocate directly for legislative changes, it can support this effort by providing Congress with thorough and timely technical assistance on any proposed legislation related to the TTAG priorities. These priorities include:

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- Authorize Medicaid reimbursement for all mandatory and optional services described as “medical assistance” under Medicaid and specified services authorized under the Indian Health Care Improvement Act—referred to as Qualified Indian Provider Services—when delivered to Medicaid-eligible AI/AN beneficiaries by Indian health care providers.
- Eliminate Medicare cost-sharing and premiums for AI/AN beneficiaries, as is already the case for Medicaid-covered services.

The TTAG leadership looks forward to the continued partnership with CMS in developing policies and programs that work for and with the Indian health system in accordance with the nation’s trust responsibility to provide for the health of Tribal nations. We appreciate your consideration of the TTAG priorities and look forward to engaging with the agency further.

Sincerely,



W. Ron Allen, CMS/TTAG Chair
Jamestown S’Klallam Tribe, Chairman/CEO

Attachment(s):

- CMS Tribal Technical Advisory Group Priorities Summary
- CMS TTAG Medicaid Policy (Regulatory/Administrative) Priority Issues
- CMS TTAG Medicare Policy (Regulatory/Administrative) Priority Issues
- CMS TTAG Medicaid (Legislative Fixes) Priorities
- CMS TTAG Medicare (Legislative Fixes) Priorities