

# Tribal Technical Advisory Group

To the Centers for Medicare & Medicaid Services

c/o National Indian Health Board 926 Pennsylvania Avenue, SE Washington, DC 20003 (202) 507-4070 (202) 507-4071 fax

Letter sent via email: kevin.counihan@cms.hhs.gov

January 8, 2015

Mr. Kevin Counihan  
Deputy Administrator and Director  
Center for Consumer Information and Insurance Oversight  
Center for Medicare and Medicaid Services  
Department of Health and Human Services

**RE: Request for Creation of CCIIO – Tribal Working Group**

Dear Director Kevin Counihan:

On behalf of the Tribal Technical Advisory Group to the Center for Medicare and Medicaid Services (TTAG), I am writing to follow-up on your recommendation made at the November 19, 2014 TTAG quarterly meeting. We appreciate the offer you made to establish an informal CCIIO-Tribal working group to address current and on-going policy issues that we have been working to resolve.

Given the breadth and urgency of Indian-specific issues pending before CCIIO, the establishment of an informal working group will enable CCIIO, TTAG and other Tribal representatives to create an efficient process and mechanism to work through these issues.

As discussed at the November 19<sup>th</sup> TTAG meeting in Washington, D.C., the issues of particular importance to Indian Country include the following:

- Receiving data as requested by the TTAG from CCIIO on American Indian and Alaska Native enrollment through Marketplaces into Qualified Health Plans (QHPs) and Medicaid;
- Ensuring eligibility criteria for the Indian-specific cost-sharing protections are applied correctly when individuals apply for health insurance coverage through the Federally-facilitated Marketplace (FFM) and State-based Marketplaces (SBMs);
- Extending the requirement on issuers operating in FFM states to offer contracts to all Indian health care providers (which is being codified in CMS-9944) to issuers in non-FFM states;
- Specifically requiring use of the QHP (Indian) Addendum when offering contracts to Indian health care providers;
- Codifying in regulations the family tag-along policy for family members of persons eligible for the Monthly Special Enrollment Period;

- Simplifying the application of the Indian-specific cost-sharing protections for families with American Indian or Alaska Native members and non-American Indian or Alaska Native family members; and,
- Including in the build schedule the capacity to conduct electronic verification for persons eligible for services through an Indian health care provider when applying for an Exemption Certificate Number through a Marketplace.

As a reference, the TTAG AI/AN Strategic Plan for 2013-2018, as amended and approved by TTAG in February 2014 included a specific section on CCIIO objectives and priorities. This Strategic Plan was provided to you during the November TTAG meeting and is also available and can be accessed at the following link: [http://www.nihb.org/tribalhealthreform/wp-content/uploads/2013/02/AIAN-Strategic-Plan\\_Eval\\_FINAL\\_2-20\\_2014.pdf](http://www.nihb.org/tribalhealthreform/wp-content/uploads/2013/02/AIAN-Strategic-Plan_Eval_FINAL_2-20_2014.pdf).

Again, we appreciate your recommendation to establish a CCIIO-Tribal working group and your perspective on not getting bogged down in protocol. We concur that what is most critical is creating a venue to connect the appropriate CCIIO and tribal representatives to work through – and find resolution– on the items pending with CCIIO. Doing so, will facilitate greater enrollment of American Indians and Alaska Natives in health plans offered through Marketplaces, and subsequently greater access of American Indians and Alaska Natives to needed health care services.

We would like to suggest that a standing meeting be scheduled for the same time each month. As a starter, we offer the second Thursday of the month at 4:00 PM EST. In the future, the meeting would be canceled when it proved to be no longer necessary.

As we establish the working group and work through the issues, feel free to contact me directly via email at [rallen@jamestowntribe.org](mailto:rallen@jamestowntribe.org) or any time by 206-369-6699. Also, I have asked Jim Roberts, Policy Analyst for the Northwest Portland Area Indian Health Board and a TTAG member, to serve as the lead TTAG representative on this working group. Mr. Roberts may be reached on 503-228-4185 or [jroberts@npaihb.org](mailto:jroberts@npaihb.org).

We look forward to hearing back from you or your staff. Thank you.

Sincerely,



W. Ron Allen

Chair, TTAG

Cc: Jim Roberts, Policy Analyst, Northwest Portland Area Indian Health Board  
Kitty Marx, Director, CMS Division of Tribal Affairs