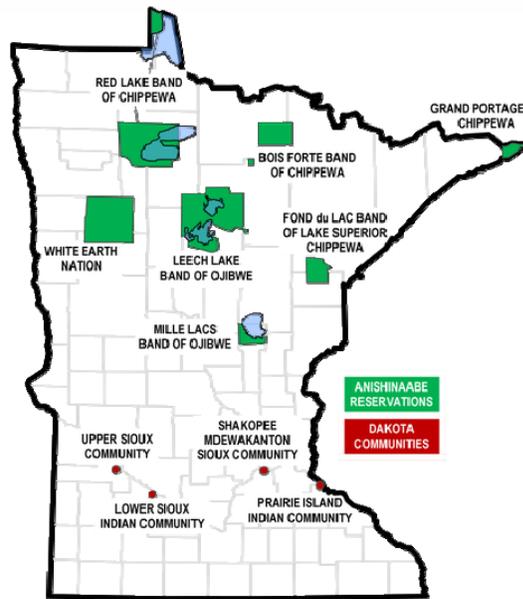




American Indian/Alaska Native Special Rules and Enrollment Tips

Wednesday, June 17, 2015
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11 Tribal Nations in Minnesota



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Image from Minnesota Department of Health



American Indians/Alaska Natives under the ACA

- American Indians are eligible to receive free services from an Indian Health Services (IHS), Tribal or Urban Indian Healthcare facility (known as I/T/U facilities).
 - Enrolled members of a federally recognized tribe
 - Descendants who are I/T/U eligible
- Eligibility for I/T/U services does not meet the health insurance coverage requirement under ACA. AIs/ANs still need to do one of the following:
 - Sign up for health insurance coverage through MNsure, available employer coverage, or other Minimum Essential Coverage (MEC)
 - Apply for an exemption
 - Pay the shared responsibility payment

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AI/AN Categories

- Tribal members
 - Refers to enrolled members of a federally recognized tribe
- Household members
 - Non-enrolled members who live with a tribal member
 - May be eligible to receive services from I/T/U facilities
 - Special rules only apply to non-enrolled household members if specifically included
- I/T/U eligible descendants
 - Descendants of an enrolled member who are eligible to receive services from I/T/U facilities
 - Special rules only apply if specifically included

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Eligibility Benefits and Special Rules

- Special enrollment period
- Advanced Premium Tax Credits
- Cost-sharing reductions
- Exemption from Individual Shared Responsibility Payment
- Medical Assistance cost-sharing
- MinnesotaCare premiums and cost-sharing
- Required documentation

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Special Enrollment Period

- Open Enrollment for 2015 coverage ended February 15, 2015
- Open Enrollment for 2016 coverage begins November 1, 2015 and ends January 31, 2016
- Tribal members are eligible for a monthly special enrollment period (SEP)
 - Enroll in qualified health plan (QHP)
 - Enrollees can change plans
 - Not available for non-Indian dependents
- Remember: Enrollment in Medical Assistance and MinnesotaCare is available at any time of year

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APTC Eligibility

- General rules for Advance Premium Tax Credit (APTC)
 - Eligible to purchase QHP
 - Not already eligible for other minimum essential coverage
 - Expected annual household income between 201-400% of federal poverty level
 - Must file federal taxes
- There are no special rules for American Indians for QHP premiums and APTC.
- Some Minnesota tribes may help qualifying members pay premiums. This is not administered through MNsure at this time.

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CSR Eligibility

- General rules for cost-sharing reductions (CSR)
 - Must enroll in a QHP through MNsure
 - Eligible to receive APTC
 - Expected annual household income at or below 250% of federal poverty level
 - Non-Indian enrollees must enroll in Silver Plan

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CSR Eligibility Special Rules

- Tribal members from 200% up to and including 300% FPL:
 - 100% cost-sharing reduction (no cost-sharing) if getting services outside of an I/T/U facility if they enroll in a QHP through MNsure
 - Can enroll in any metal-level plan
 - **TIP!** To receive 100% CSR benefit, all enrolled in plan must be tribal members. If not, non-tribal members can enroll in separate plans and tribal member can get 100% benefit
- Tribal members and I/T/U eligible descendants:
 - Regardless of income, no cost-sharing for items or services from I/T/U facility or when referred by an I/T/U facility for covered services to other providers

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Exemption from Mandate

- If eligible for exemption from the Individual Shared Responsibility Payment (individual mandate)
 - Not required to maintain health coverage
 - Do not have to pay the IRS shared responsibility payment
- Tribal members and descendants eligible for I/T/U services may qualify for an exemption
- Can apply through Healthcare.gov or with IRS when filing tax return

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Medical Assistance Special Rules

- Individuals, including American Indians, with household income at or below 133% FPG are eligible for this premium-free program
- Cost-sharing special rules:
 - Tribal members and I/T/U eligible descendants do not pay cost-sharing at I/T/U facility or when referred for covered services to other providers
 - Non-Indian household members do pay cost-sharing
- Tribal members and I/T/U eligible descendants living on a reservation are covered on a fee-for-service basis, but may choose to enroll in managed care regardless of residence on the reservation

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Income Exclusions for MA

- The following income may be excluded from an American Indian's MAGI if they are eligible for Medical Assistance:
 - Distributions from trust/reservation property
 - Income from property and rights related to hunting, fishing and natural resources
 - Income from the sale and use of cultural/subsistence property
 - Student financial assistance provided by the Bureau of Indian Affairs and/or a Tribe
 - Income that falls within the IRS General Welfare Doctrine
 - Distributions from Alaska Native Claims Settlement Act (ANCSA) Corporations and Settlement Trusts
 - Any other Indian income that is non-taxable according to federal law or IRS guidance
- Gaming per capita payments are taxable and must be included
- **TIP!** A consumer should report if they have any of these types of income as an "income type" on the application.

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MinnesotaCare Special Rules: Premiums

- Tribal members and their non-Indian household members are not required to pay premiums
- I/T/U eligible descendants and their non-Indian household members are not required to pay premiums

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MinnesotaCare Special Rules: Cost-Sharing

- Tribal members have no cost-sharing for any covered services
- Descendants that are I/T/U eligible are responsible for cost-sharing, except when receiving care at an I/T/U facility or when referred by an I/T/U facility for covered services to other providers
- Non-Indian household members are responsible for cost-sharing

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Verification of Tribal Membership

- MNsure must verify status as a member of federally-recognized tribe
- The processing agency will send a Request for Information requesting documentation:
 - Tribal Affiliation Card;
 - Tribal Affiliation or Membership Document such as a certified letter from the tribe or BIA that must be on official letterhead;
 - Certified Letter or membership list from a recognized Tribe
- **TIP!** Prepare the consumer:
 - Let them know they will get a Request for Information
 - Tell them this is standard procedure
 - They must submit proof to maintain special benefits

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Verification of I/T/U Eligibility

- MinnesotaCare must verify status as a descendant who is I/T/U eligible for premium benefits
- DHS will mail a notice requesting documentation
 - Letter on facility letterhead with official signature from the I/T/U provider verifying eligibility for services;
 - Tribal document acknowledging membership, descent, participation in tribal community affairs, residence on tax exempt land, or that it regards the person as Indian. Must be on tribal letterhead and have tribal seal or official signature;
 - U.S. Bureau of Indian Affairs (BIA) Form 4432 signed by BIA or tribal official;
 - Certificate of Degree of Indian Blood (CDIB) signed by BIA or tribal official.

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Resources

- **Resolving American Indian consumer case issues:** Contact the ARC and they will escalate to a Contact Center specialist as necessary
- **Questions/clarifications about AI/AN policy:**
 - For QHP, APTC, CSR policy: Emily J. Cleveland, Policy Analyst and Business Specialist, Emily.J.Cleveland@state.mn.us
 - For MA and MCRE policy: Contact the DHS Member Help Desk at 651-431-2670 or 800-657-3739
- **Tribes can contact these Tribal liaisons on other issues:**
 - MNsure: Bob Paulsen, Eligibility and Enrollment Director, robert.j.paulsen@state.mn.us
 - DHS: Vern LaPlante, Office of Indian Policy, vernon.laplante@state.mn.us

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