

IHS TRIBAL SELF-GOVERNANCE ADVISORY COMMITTEE

c/o Self-Governance Communication and Education
P.O. Box 1734, McAlester, OK 74501

Telephone (918) 302-0252 ~ Facsimile (918) 423-7639 ~ Website: www.tribalseg.gov

Sent via email: linda.wooten@treasury.gov
Original sent via USPS

January 29, 2014

Dr. Elaine Buckberg
Deputy Assistant Secretary for Policy
Office of Economic Policy
Department of Treasury
1500 Pennsylvania Avenue, NW
Washington, D.C. 20220

Re: Follow up from January 22, 2014 Quarterly Meeting of the Indian Health Service Tribal Self-Governance Advisory Committee (TSGAC)

Dear Dr. Buckberg:

On behalf of the Indian Health Service Tribal Self-Governance Advisory Committee (TSGAC), we thank you and your colleagues for your participation in our January 2014 quarterly meeting. Along with the other Self-Governance Tribal leaders and advisors in attendance, we very much appreciated your sincere engagement and exchange of ideas with us.

As we discussed, simplifying and making consistent the application process for the two Indian-specific exemptions from the Affordable Care Act's (ACA) tax penalty for not securing health insurance coverage would be of great benefit. Specifically, we urge the IRS to implement an exemption application for persons eligible for IHS services, if delegated by HHS, through the tax-filing process, as it currently is for those seeking an exemption as a member of a federally-recognized Tribe. The most expedient and cost effective means would be through self-attestation, but alternatively, the TSGAC recommends electronic verification with IHS records be implemented as soon as practicable. We believe that adoption of the Tribal recommendations will reduce the confusion felt, and the effort required by American Indian and Alaska Native families to apply for an exemption. Further, this will improve compliance with ACA requirements as well as reduce the costs to Tribes and the Federal government.

Per your request, attached is the TSGAC report entitled, ***Enabling Electronic Verification of Eligibility for Indian-specific Benefits and Protections Under Medicaid and the Patient Protection and Affordable Care Act, P.L. 111-48***. This report was prepared by the TSGAC and formally submitted to Indian Health Service (IHS) and the Centers for Medicare and Medicaid (CMS). The report was prepared in collaboration with IHS and received a favorable reception from the CMS leadership.

TSGAC Letter to Dr. Buckberg
Follow up from January 22, 2014 TSGAC Quarterly Meeting
January 29, 2014
Page 2

We would like to reiterate our offer to make available TSGAC Tribal representatives and technical advisors for participation in any work groups you may establish to fashion an approach to implementing these exemptions. Thank you again for your contributions to the TSGAC meeting and your willingness to identify an approach that works for all parties. If you have any questions, you can reach me at (860) 862-6192; or via email: lmalerba@moheganmail.com.

Sincerely,



Chief Lynn Malerba, Mohegan Tribe
Chairwoman, TSGAC

Enclosure: ***Enabling Electronic Verification of Eligibility For Indian-specific Benefits and Protections Under Medicaid and the Patient Protection and Affordable Care Act, P.L. 111-48***

cc: Dr. Yvette Roubideaux, Director, IHS
P. Benjamin Smith, Director, Office of Tribal Self-Governance, IHS
TSGAC and Technical Workgroup Members