



American Indian Health Commission for Washington State

"Improving Indian Health through Tribal-State Collaboration"

April 10, 2014

Chair
Steve Kutz
Cowlitz Tribe

Vice-Chair
Cheryl Sanders
Lummi Tribe

Treasurer
Marilyn Scott
Upper Skagit Tribe

Secretary
Leslie Wosnig
Suquamish Tribe

Member-at-Large
Brent Simcosky

Executive Director
Brent Simcosky
(Interim)
Jamestown S'Klallam
Tribe

Member Tribes:
Chehalis
Colville
Cowlitz
Jamestown S'Klallam
Kalispel
Lower Elwha Klallam
Lummi
Makah
Muckleshoot
Nisqually
Nooksack
Port Gamble
Puyallup
Quileute
Quinault
Samish
Saux-Suiattle
Shoalwater Bay
Skokomish
Snoqualmie
Spokane
Squaxin Island
Stillaguamish
Suquamish
Swinomish
Tulalip
Upper Skagit

Member Organizations:
**Seattle Indian Health
Board**
**NATIVE Project of
Spokane**

Dear Tribal Leader/Urban Program Director:

The Office of the Insurance Commissioner (OIC) for the State of Washington is developing new rules for health insurance companies that will significantly impact both American Indians and Alaska Natives (AI/AN) and Indian health care providers. The American Indian Health Commission (AIHC) and the Northwest Portland Area Indian Health Board (NPAIHB) are urging tribes and urban Indian health programs to review the OIC proposed rules and submit comments and/or letters in support of AIHC's recommended changes to the OIC by the April 21, 2014 deadline (see attached documents). In addition, the AIHC strongly encourages attendance at the public hearing scheduled at the OIC's Tumwater, Washington, office on April 22, 2014.

The AIHC is concerned that the proposed state rules do not fully protect AI/AN and Indian health care providers as required under federal law. The proposed rules fail to require health insurance plans offered on the Washington Health Benefit Exchange to reimburse Indian health care providers at a particular rate as required by the Indian Health Care Improvement Act (IHCA). The OIC also denied AIHC's request to require issuers to use the Washington State Indian Health Care Provider Addendum, which outlines the requirements for health insurance issuers contracting with Indian health care providers.

The OIC did incorporate a number of provisions to the proposed rules that strengthen American Indian/Alaska Natives (AI/AN) access to Indian health care by requiring that: (1) AI/AN enrolled in health plans have access to both medical and behavioral health services provided by Indian health care providers; (2) AI/AN enrolled in health plans have access to services provided by Indian health care providers even if the provider is not a network contractor; and (3) Issuers offering qualified health plans (QHP) in the Washington Exchange offer to contract with all Indian health care providers in their service area.

AIHC strongly recommends that tribes and urban programs submit written comments to the OIC in response to these proposed rules via mail or electronic mail to the following:

Kate Reynolds
PO Box 40258
Olympia, WA 98504-0258
e-mail rulescoordinator@oic.wa.gov

If you have any questions about the proposed rules or AIHC's requested changes, please visit our website at <http://www.aihc-wa.com/aihc-health-policy-issues/issues-policies-regulations/> or contact Heather Erb, counsel for AIHC, at (360)220-1519 or heather@erblawfirm.com.



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Sincerely,

Steve Kutz, Chair
American Indian Health Commission

Enclosures:

AIHC Redline Revisions to OIC Proposed Rules
AIHC Letter to Commissioner Kreidler

CC:

Tribal Leaders
AIHC Delegates
Joe Finkbonner, NPAIHB
Jim Roberts, NPAIHB