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Objectives

• Overview of the Tribal Consultation requirement in the Establishment Funding Opportunity Announcement.
• Discuss the process for beginning to consult with Federally Recognized Tribes.
• Discuss Tribal Consultation Policy models.
• Provide and connect states with Tribal Leaders, tribal health organizations, and CMS resources.
Tribal Consultation Requirement

- States with federally recognized Tribes are required to consult with Tribal Leaders on Exchange issues that affect American Indians/Alaska Natives.
- States are encouraged to develop a Tribal Consultation Policy for Exchange issues.
  - A State may elect to modify their State Medicaid Tribal Consultation Policy to include consultation with federally recognized Tribes for Exchange issues.
  - A state may develop a Tribal Consultation Policy specific for Exchange issues.
What is Tribal Consultation?

- A government-to-government relationship
- A meaningful dialogue between all parties involved
- A process that can be initiated by the State or Tribe(s)
- The utilization of comments and/or recommendations provided by Tribal Leaders
Other Ways to Obtain Information from Tribes

- Develop Workgroups
- Meet with tribal and urban Indian organizations
How to Begin Tribal Consultation?

- Send a letter to Tribes requesting to consult on issues that will impact Tribes
- Provide an education session to Tribal Leaders prior to the consultation
- Follow your Tribal Consultation Policy (i.e., State Medicaid Tribal Consultation Policy)
Issues to Consider for Tribal Consultation

- Qualified Health Plan (QHP) benefits
- Mechanisms for Exchanges to provide and disseminate information regarding eligibility and enrollment and QHPs to populations living in remote areas that do not have broadband capabilities
- Tribes paying premiums on behalf of tribal members
- The inclusion of Indian Health Service providers, tribal health organization providers, and urban Indian health providers as network providers
- Implementation of special enrollment periods
- IT development that incorporates capacity to distinguish between AI/ANs that are eligible for special monthly enrollment periods and no-cost sharing exemptions

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CMS Tribal Resources for States

- State Medicaid Tribal Consultation Policies
- Regional Offices have Tribal Liaisons
Other Tribal Resources for States

- National Indian Health Board
- 10 Area Indian Health Boards serving states with federally recognized tribes