



# NATIONAL CONGRESS OF AMERICAN INDIANS

## The National Congress of American Indians Resolution #MOH-17-010

### **TITLE: To Petition Social Security Administration/Centers for Medicare & Medicaid Services to Create an Alternate Payment Mechanism for Tribal Payment of Medicare Monthly Premiums**

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**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, per Section 402 of the Indian Health Care Improvement Act (25 U.S.C. § 1642) states that Indian Tribes, Tribal organizations, and Urban Indian organizations may use federally appropriated funding, to the extent it is available under law, to purchase health insurance for IHS beneficiaries; and

**WHEREAS**, Tribal Premium Sponsorship (Sponsorship) occurs when a Tribe pays health insurance premiums on behalf of IHS beneficiaries. As you know, when Tribal members enroll in coverage they are able to improve their access to care through increased options for health care. In turn, revenue collected by Tribal and IHS providers goes back into the facility to meet conditions of participation and provide additional funds to hire staff and purchase services and new equipment. In addition, with greater alternate resources, Purchased/Referred Care (PRC) funds go farther as more patients have coverage; and

**WHEREAS**, tribes have successfully used their own funds to pay premiums for many third party payers and some have very large programs that have extended coverage for many otherwise uninsured Native Americans/Alaska Natives. However, most have been unsuccessful working with the Social Security Administration to pay Medicare Premiums due to the fact that these can only be paid by deduction from beneficiary's Social Security checks; and

**WHEREAS**, tribal members who have elected to delay opting into Medicare Part B due to financial barriers are subject to a surcharge/penalty if they choose to opt into Medicare Part B in the future; and

**WHEREAS**, these administrative barriers prevent a very large population of elder Native American/Alaska Native patients from accessing specialized medical care that the I/T/U is not fully funded to provide.

**NOW THEREFORE BE IT RESOLVED**, that the National Congress of American Indians (NCAI) supports the efforts of tribal governments to secure an administrative payment option that will allow Tribal Governments to directly pay Medicare Premiums on behalf of their tribal members directly to Social Security Administration; and

**BE IT FURTHER RESOLVED**, that NCAI supports the recognition of I/T/U eligibility as creditable coverage and that American Indians/Alaska Native should not be subject to the Medicare Part B surcharge penalty in the event of delayed enrollment; and

**BE IT FURTHER RESOLVED**, that NCAI calls upon the United States Congress and affected agencies to amend its current payment policy in a timely manner with minimal administrative burden; and

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2017 Midyear Session of the National Congress of American Indians, held at the Mohegan Sun Convention Center, June 12 to June 15, 2017, with a quorum present.

  
Brian Cladoosby, President

**ATTEST:**

  
Aaron Payment, Recording Secretary