



## **POLICY AND PROCEDURE NOTICE: PPPN-025 AMERICAN INDIANS AND ALASKA NATIVES AND INDIAN HEALTH SERVICES (IHS)**

**Summary and Purpose of PPN:** To guide the administration of the Ryan White Part A Program to ensure RWHAP recipients and subrecipients do not deny services, including prescription drugs, to Native Americans and Alaska Natives eligible to receive RWHAP services.

### **Authority:**

- The Snyder Act of 1921 (25 USC 13)
- Permanent reauthorization of the Indian Health Care Improvement Act [enacted in 2010 as part of the Patient Protection and Affordable Care Act (P.L. 111-148)]

### **Policy and Procedure:**

1. Since 2012 as a result of The Snyder Act of 1921 (25 USC 13) and the permanent reauthorization of the Indian Health Care Improvement Act [enacted in 2010 as part of the Patient Protection and Affordable Care Act (P.L. 111-148)], American Indians and Alaska Natives are eligible to participate in full public, private, and state health programs available to the general population.
2. In addition, American Indians and Alaska Natives also have treaty rights to federal health care services through the Department of Health and Human Services (HHS).
3. American Indians and Alaska Natives, even if enrolled for IHS health care, American Indians or Alaska Natives do not have to use IHS as their exclusive health care provider. Ryan White funded care or service providers may not cite the “payer of last resort” language for IHS participants.
4. Subrecipients shall maintain documentation that eligibility determination policies and procedures do not consider HIS health benefits as American Indians and Alaska Natives primary insurance and deny access to Ryan White services citing “payer of last resort”. Policies and procedures must classify American Indians or Alaska Natives receiving IHS health benefits as uninsured, thus exempting these American Indians or Alaska Natives from the “payer of last resort” requirement.

5. Subrecipients shall maintain documentation that all staff determining eligibility have been informed of policies surrounding American Indians or Alaska Natives with IHS health benefits.
6. Subrecipients shall ensure staff involved in involved in eligibility determination have been provided training in eligibility requirements no less frequently than annually.

**Verification:**

- Review of eligibility determination policies and procedures for classifying American Indians or Alaska Natives receiving IHS health benefits as uninsured, thus exempting these veterans from the “payer of last resort” requirement.
- Review documentation that staff involved in involved in eligibility determination have been informed of policies surrounding American Indians or Alaska Natives with IHS health benefits.
- Review documentation that staff involved in involved in eligibility determination have been provided training in eligibility requirements no less frequently than annually.

**Approved: June 2016**

**Reviewed: April 2021**