



Date: May 9, 2014

Subject: Cost-Sharing Reductions for Contract Health Services

Q: What documentation standards, under the maintenance of records requirements in 45 CFR 156.480, apply for cost-sharing reductions for an item or service that has been furnished through referral from an Indian health program, including an urban Indian program, under contract health services?

A: 45 CFR 156.420(b)(2) specifies that issuers must provide cost-sharing reductions to eligible enrollees under 45 CFR 155.350(b) on any “item or service that is an EHB furnished . . . through referral under contract health services.” 45 CFR 156.430 provides for payments to issuers for cost-sharing reductions. To document eligibility for reimbursement for cost-sharing reductions provided to an enrollee on an EHB provided through referral under contract health services, as defined in 25 U.S.C. 1603(5) and any implementing guidance, and to meet the standards set forth at 45 CFR 156.480, the issuer must retain documentation that includes the following information:

- Identification of the patient receiving the item or service (e.g. name and date of birth);
- The name and address of the provider delivering the item or service;
- A description of the item or service furnished through referral under contract health services, including the date(s) the item or service was provided; and
- The name of the Indian health program issuing the referral under contract health services, contact information for the program, and the date of the referral.
- A copy of the referral. (We note that many of the required elements above may be contained in the referral itself, and recognize that often the referral will be obtained after the service has been provided.)