

IHS TRIBAL SELF-GOVERNANCE ADVISORY COMMITTEE

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Submitted via: www.regulations.gov

May 5, 2016

Centers for Medicare and Medicaid Services (CMS)
Office of Strategic Operations and Regulatory Affairs
Division of Regulations Development
Room C4-26-05, 7500 Security Boulevard
Baltimore, MD 21244-1850

RE: Comments on CMS-10458 (OCN: 0938-1203)

Dear CMS Official:

On behalf of the Indian Health Service Tribal Self-Governance Advisory Committee (TSGAC), I write to comment on the Paperwork Reduction Act notice for CMS-10458, "Consumer Research Supporting Outreach for Health Insurance Marketplace." This information collection includes two surveys—the Individual Marketplace Tracking Survey and the Small Business Health Options Program (SHOP) Tracking Survey—designed to aid in understanding levels of awareness and customer service needs associated with the Health Insurance Marketplace established by the Affordable Care Act (ACA).

Established in 1996, the TSGAC provides information, education advocacy and policy guidance for the implementation for Self-Governance within the Indian Health Service (IHS). We have concerns that neither of the surveys includes questions specific to the experiences of AI/ANs, for whom the Affordable Care Act (ACA) offers numerous special benefits and protections associated with enrollment in a qualified health plan (QHP) through the Marketplace. Through this opportunity for comment, we request that CMS add a question to these surveys to address the specific experiences of AI/ANs, specifically the degree to which they were satisfied with the information they have received on these Indian-specific protections from Marketplace staff members and informational materials.

Discussion

ACA contains numerous Indian-specific protections in the context of both the Marketplace and SHOP. These protections include:

- A special monthly enrollment period in which AI/ANs can enroll in a QHP through the Marketplace;
- Two different cost-sharing exemptions for AI/ANs enrolled in a QHP through the Marketplace:

- for individuals with household income between 100 percent and 300 percent of the federal poverty level (FPL), and
- individuals with household income of any level; and
- Exemptions from the individual shared responsibility payment for failure to obtain minimum essential coverage.

A number of reports have indicated that Marketplace enrollment assisters are unfamiliar with these protections and have not provided timely and/or accurate advice to individuals inquiring about AI/AN-related enrollment issues. It is critically important that both the individual and SHOP surveys include questions to gauge the satisfaction of AI/ANs with the information they have receive on these protections. Without data on the specific experiences of AI/ANs, CMS will not have an indication of the types of outreach and marketing needed to enhance awareness of and knowledge about the Marketplace among individual and business customers in this population.

Recommendations

To address the issues raised above, CMS should:

1. In the “Heath Insurance Perceptions/Attitudes/Experiences” section of the individual survey, CMS should add the following question specifically for AI/AN respondents:

How satisfied would you say you are with the information that you received on the special protections available to Indians who purchase health insurance coverage through the Marketplace? [READ LIST]

Very satisfied	1
Somewhat satisfied	2
Somewhat dissatisfied	3
Very dissatisfied	4
DK/REF (VOL)	-1

2. In the “Insurance Status, Purchasing Behaviors, Perceptions” section of the SHOP survey, CMS should add the following question for specifically AI/AN respondents:

How satisfied would you say you are with the information that you received on the special protections available to Indians who purchase health insurance coverage through the Marketplace and how these apply or do not apply to SHOP coverage? [READ LIST]

Very satisfied	1
Somewhat satisfied	2
Somewhat dissatisfied	3
Very dissatisfied	4
DK/REF (VOL)	-1

In closing, we thank you for the opportunity to provide these comments on CMS-10458. We appreciate the continuing efforts of CMS to ensure that AI/ANs can accurately provide feedback on their experiences with the Marketplace and SHOP. TSGAC remains willing to assist CMS in these endeavors in any way possible. Please contact me if you have any questions on the issues addressed in these comments.

If you have any questions, you can reach me at (860) 862-6192; or via email: lmalerba@moheganmail.com. Thank you.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Malerba".

Chief Lynn Malerba, Mohegan Tribe
Chairwoman, TSGAC

cc: Mary Smith, Principal Deputy Director, IHS
P. Benjamin Smith, Director, OTSG, IHS
TSGAC and Technical Workgroup