



Health Care Reform in Indian Country

Self-Governance Communication & Education

Self-Governance Tribes Striving Towards Excellence in Health Care

Presenter's Bios: July 11, 2018 - Webinar

TSGAC ACA/IHCIA Webinar:

“IRS Enforcement of the Employer Mandate under the Affordable Care Act”

Presenter's Nicole Elliot, Doneg McDonough & Cyndi Ferguson

NICOLE ELLIOTT

Nicole Elliott is a tax attorney in Holland & Knight's Public Policy & Regulation Group in Washington, D.C.

Prior to joining Holland & Knight, Ms. Elliott was the former IRS senior advisor for the Affordable Care Act. At the IRS, Ms. Elliott was the lead executive responsible for overseeing ACA implementation. She played an integral role in drafting regulations, forms and instructions, and developing compliance plans. On numerous occasions, she was called upon to negotiate the more complex aspects of the ACA, not only within the IRS, but also as its key liaison with the executive branch and other government agencies.

At Holland & Knight, Ms. Elliott is assisting clients understand and navigate healthcare reform and tax reform. Ms. Elliott's practice also involves advising clients in the context of tax controversies, both at the administrative level and in litigation. Ms. Elliott currently represents several tribes and has defended numerous clients before the IRS with respect to the employer mandate.

Majel M. Russell Esq., Elk River Law Office, P.L.L.P.

Majel Russell is an enrolled member of the Crow Tribe with an affiliation with the Oglala Sioux Tribe. Ms. Russell graduated from the Montana School of Law in 1992 and is a founding partner of the Elk River Law Office, established in 1996. She has primarily a federal Indian law practice focused on representation of Tribal governments, Tribal entities and Tribal businesses in jurisdictional disputes, negotiations with state and federal governments, water rights

adjudications, taxation authority and trust land transactions. Ms. Russell has also litigated on behalf of Tribes in Tribal, State District, Federal Courts and the United States Supreme Court.

Ms. Russell's practice has recently evolved into representation of Tribes and Urban Indian Health Clinics to maximize benefits available in the Affordable Care Act, including negotiation of ISDEAA contracts with the Indian Health Service.

DONEG MCDONOUGH

Doneg McDonough leads the health care consulting firm Health System Analytics and advises clients on maximizing opportunities under the Affordable Care Act (ACA) and the Indian Health Care Improvement Act (IHCA).

Doneg serves as a technical advisor to the Tribal Self-Governance Advisory Committee as well as the Tribal Technical Advisory Group to CMS. In addition, Doneg is under contract with the National Indian Health Board to track and review federal regulatory developments involving CMS, the Indian Health Service, and other Federal government agencies implementing the ACA and IHCA.

Doneg is staffing a joint effort of Direct Service Tribes and Self-Governance Tribes to ensure that every Tribe has available to it the option of engaging in Tribal Sponsorship. Doneg is also a consultant to the Tribally-Sponsored Health Insurance Program in Alaska, which is a statewide collaboration of Tribes working to ensure resources are available at each service delivery point across the 633,000 square miles of the tribal health system referral network. Doneg recently conducted a series of trainings with Direct Service and Self-Governance Tribes in the Upper Midwest, with a particular focus on approaches for tribal employers to leverage resources available through a Marketplace.

CYNDI FERGUSON

Cyndi Ferguson joined SENSE Incorporated on in March 2010 as a Self-Governance Specialist/Policy Advisor. Having previously worked for over 20 years as the Self-Governance Coordinator and Director of Governmental Affairs for the Jamestown S'Klallam Tribe in Washington State, Cyndi has extensive experience, including: management and implementation of Tribal Self Governance in the Bureau of Indian Affairs (BIA) and the Indian Health Service (IHS) programs; negotiation of Self-Governance Funding Agreements with Federal agencies; internal Tribal governance planning; preparation of Tribal annual fiscal budgets and management reports to Tribal Council; and participation on Tribal Team to develop several major legislative initiatives, including amendments to the Indian Self-Determination and Education Assistance Act (Title IV, Title V and Title VI). Further, Cyndi has worked to advance State-Tribal Relations promoting intergovernmental cooperation between States and Tribes in order to develop policy solutions on issues of mutual concern. Cyndi has been a lead presenter on national and regional Tribal Self-Governance Trainings. She has been an active, long-term participant on several Tribal/Federal Workgroups and currently serves as Facilitator for the National Indian Health Board-Medicare and Medicaid Policy Committee (MMPC).