

Tribal/Federal Technical Work Group Teleconference

November 8, 2011

3:00PM EST

Meeting Minutes

Tribal Representatives in Attendance: Tim Manning, Maile Robideaux, Carol Newago (representing Gerard Deperry), Rochelle Ellson (representing Gerard DePerry, Jeanette Ziegler, Elizabeth Turner, Leslie Weber, Donita Stephens, Lauri Lus, Luke Welles, Celeste Lemen

In Attendance from the Office of Personnel Management (OPM): John O'Brien, Chelsea Ruediger, Louise Dyer, Mark Knee, Angelo Cueto, Paul Westfall, Mary Hartman, Rachel Aksman, Lionell Jones

In Attendance from the National Finance Center (NFC): Anita Fincher, Darren Chin, Brian Sanford

John O'Brien, Director of the Office of Healthcare and Insurance at OPM, presented the first 8 slides of the power point presentation (provided in advance) in order to familiarize the workgroup with the Tribal FEHB program implementation process, the key players involved, and achievements to date. John clarified that the purpose of the Tribal/Federal Workgroup is for OPM to provide critical consultation from tribal representatives on the technical aspects of the FEHB election and enrollment process.

Darren Chin, from NFC, discussed the relationship between NFC and OPM. In addition, Darren described the roles of each stakeholder in the Tribal FEHB program: eligible employees, Tribe HR offices, NFC, OPM, and the Insurance Providers ("carriers"). See slides 10-14 for details.

Paul Westfall, Project Manager from OPM, described the structure of the team working on the Tribal FEHB implementation process and the progress of each of the sub-teams (technical, materials, carrier, and training). In addition, Paul described the FEHB coverage timeline and defined key terms. See slides 16-20 for details.

At this point, the meeting was opened up to questions and comments from tribal representatives. In particular, representatives were asked to focus their comments on any technical requirements that might be problematic for their tribe, tribal organization, or urban Indian organization to implement. The following is a summary of the questions and comments provided, as well as responses by OPM and NFC.

Tim Manning (Poarch Band of Creek Indians)

- Overall, the technical aspects of the program will not be difficult to implement.
- Will all employees (enterprise, casino, etc..) be eligible for coverage?
 - o Yes. All common law employees of Tribes, tribal organizations, and urban Indian organizations will be eligible for coverage.

- The Poarch Band of Creek Indians has several separate HR offices, will each office be able to have their own account with NFC?
 - o No. The system has been set up so that each tribe, tribal organization, or urban Indian organization that elects to purchase FEHB will have one central account. This means that coordination between separate HR offices will be necessary. The tribe, tribal organization, and urban Indian organization will be responsible for coordinating their HR offices.

Donita Stephens (Choctaw Tribe)

- The Choctaw Tribe also has several HR offices, but they all report to a centralized Risk Management Office so having one account with NFC for the entire tribe will not be a problem.
- Doug Weaver, the CFO also spoke
- Will tribes be billed for coverage prospectively or retrospectively?
 - o Retrospectively. This means, for example, that the bill a tribe receives on June 1st will be for insurance coverage already provided in the month of May.
- How will payments be collected?
 - o NFC will use an electronic debt system to collect payments from tribes. Each tribe will have one bank account from which premiums for the entire tribe will be collected. It's not like automated monthly payments because the bill will change each month depending on enrollment, but the process will be streamlined.
- Will human resources offices be able to upload a data file with their enrollment information?
 - o OPM and NFC need to discuss this further
- What kind of data will tribes be able to get out of the TIPS system in order to inform their wellness programs?
 - o OPM and NFC need to discuss this further

Leslie Weber (Seminole Tribe)

- Leslie Weber stated that counsel, Carolyn Kershner would speak for her
- Do all employees need to be covered by FEHB?
 - o Yes. If a tribe, tribal organization, or urban Indian organization elects to purchase FEHB all of their common law employees will be eligible to purchase coverage. Employers cannot offer FEHB to some employees and not to others.
- Will OPM be posting responses to the questions they received during the initial consultation process?
 - o Yes.
- How was the administrative load calculated?
 - o The administrative load was calculated based on the average insurance premium; it will be charged as a flat rate of \$15.15 per contract per month. Per contract means that regardless of whether the contract is a Self or Self and Family enrollment, the same administrative load will be charged.
- In the Seminole tribe, all tribal members are eligible for insurance coverage. Because of this, tribal members who are also employees can keep their tribal insurance and provide their

dependents (regardless of whether or not they are members of the tribe) with insurance coverage through their employer. Will this be possible under the FEHB program?

- No. By law, there is no Family Only enrollment option in FEHB. Enrollees will have to chose between either Self or Self and Family enrollment options.
- Will tribes be able to make their own decisions concerning pre-tax premium deductions (premium conversion)?
 - Yes
- Does the tribe collect premiums from employees?
 - Yes. The tribe is responsible for collecting premiums from employees. The amount billed by NFC each month will be for the total premium cost- both the employer and employee contributions.
- Regarding the timeline provided, what if the time between the “last day of the initial enrollment opportunity” and the “last day of data entry into TIPS” isn’t enough time for the HR office to complete data entry?
 - The “last day of the initial enrollment opportunity” is a suggestion. If HR offices believe they will need more time they can move that date up accordingly.
- When will information about rates and plans be provided?
 - Information is forthcoming. In the meantime, rates and information about plans are available on OPM’s website www.opm.gov/insure.
- How will the Seminole tribe enter in 12,000 employees? Can there be an electronic interface?
 - OPM and NFC will work to provide a solution on this issue. We will look into an electronic transfer.

Jeanette Ziegler (Mohegan Tribe)

- Would like to have a monthly file transfer to NFC as well (since they have 9,000 employees) for enrollment changes rather than having HR officers manually input data into the TIPS system.
 - OPM and NFC need to discuss this further
- The Mohegan Tribe also has two separate HR offices.
 - As stated before, the HR offices will need to coordinate. Only one account per tribe, tribal organization, or urban Indian organization will be allowed.
- How will HR offices now how much to deduct each month, will there be a reconciliation process?
 - Deductions will be standard each month, rates will be provided. NFC will provide each tribe, tribal organization, or urban Indian organization with a bill each month before the bill is due.
- Will claims data be available for review? Would be helpful when implementing wellness programs.
 - OPM and NFC need to discuss this further
- Concerns were addressed regarding materials and whether or not they will be available in multiple languages.

Maile Robideaux (Seattle Indian Health Board)

- Would like an electronic process for employees to input their own enrollment data and for that system to interface with TIPS.
 - o Tribes are encouraged to create their own electronic enrollment systems. OPM and NFC will discuss how such systems could interface with TIPS.

Carole Newago and Rochelle Ellson representing Gerard De Perry (Great Lakes Indian Fish and Wildlife Commission)

- Can domestic partners (both same-sex and opposite-sex) be covered under FEHB.
 - o No. John O'Brien from OPM will look into this further but currently the Defense of Marriage Act (DOMA) prohibits coverage for same-sex spouses or domestic partners.

Elizabeth Turner (Hoopa Valley Tribe)

- Can tribes make their own eligibility rules for employees? For example, Hoopa Valley currently covers seasonal employees (such as loggers) for the time they work. Will they be able to continue this practice?
 - o OPM will provide a document with the current eligibility limitations for the technical team to review and is willing to consider special circumstances.

Celeste Lemen (Yocha Dehe Wintun Nation)

-To echo what Elizabeth Turner stated, they also want to know if they can provide FEHB to teachers who only work part of the year.

Luke Welles (Arctic Slope Native Association)

- Will employers be able to select one plan and offer it to all their employees or can employees select any plan they want?
 - o Employees are free to enroll in any FEHB plan which provides coverage in the geographic location where they live.
- How can employers control costs if employees can select any plan they want?
 - o Tribes, tribal employees, and urban Indian organizations do give up some control over costs by purchasing FEHB for their employees.
- Can tribes, tribal organizations, and urban Indian organizations pay more than the Government rate of 72%?
 - o Yes. Tribes, tribal organizations, and urban Indian organizations can pay up to 100% of the premiums but they must maintain a minimum of the standard Government share.
- How will common law employees be defined?
 - o The definition being utilized for employees is a legal term and it was suggested that all tribes, tribal organizations, and urban Indian organizations consult their counsel when making such determinations.

Laurie Lus (Salt River Pima-Maricopa Indian Community)

- From a technical perspective the system should be no problem to implement except for the need for a centralized HR contact. Casinos are legally required to have separate tax ID numbers, HR systems, etc...
 - o It will be the responsibility of the tribe, tribal organization, or urban Indian organization to coordinate between their HR offices. At this point, each tribe, tribal organization, or urban Indian organization can only have one account with NFC.
- Is dental included in coverage?
 - o No. There are some plans that provide limited dental and/or vision benefits. Tribes, tribal organizations, and urban Indian organizations can purchase separate dental and/or vision coverage for their employees.
- Can we provide other health insurance for our employees?
 - o No. If you chose to purchase FEHB you cannot provide other health insurance options to your employees.
- If we purchase FEHB and aren't happy with the coverage can we opt out at a later date?
 - o Yes.
- If we chose not to purchase FEHB now can we opt in later?
 - o Yes.
- Can we provide Employee Assistance Programs to our employees?
 - o Yes.

Another Tribal/Federal Technical Workgroup meeting will be scheduled for early next month. Participants were asked if they were comfortable having their names and contact information published so that they could be contacted by other tribes, tribal organizations, and urban Indian organizations. They consented and the list of workgroup members is attached.

Action Steps:

- OPM will develop a document with employee eligibility requirements so that technical workgroup members can review and bring up any problematic areas.
- OPM and NFC will discuss the possibility of HR offices uploading documents with initial enrollment data and monthly enrollment changes.
- OPM and NFC will discuss what information HR offices will be able to pull from TIPS (ie claims data) in order to inform HR decisions (such as wellness campaigns).
- OPM will verify that DOMA applies to tribes, tribal organizations, and urban Indian organizations purchasing FEHB coverage.

NAME	LOCATION	Tribe	CONTACT
Tim Manning	Atmore, AL	Poarch Band of Creek Indians	tmanning@pci-nsn.gov
Celeste Lemen	Brooks, CA	Yocha Dehe Wintun Nation	clemen@yochadehe-nsn.gov
Maile Robidoux	Seattle, WA	Seattle Indian Health Board	mailer@sihb.org
Gerald DePerry	Odanah, WI	Great Lakes Indian Fish and Wildlife Commission	gdeperry@glifwc.org
Jeanette Ziegler	Uncasville, CT	Mohegan Tribe	jziegler@moheganmail.com
Elizabeth Turner	Hoopa, CA	Hoopa Valley Tribe	hvtins@hoopa-nsn.gov
Leslie Weber	Hollywood, FL	Seminole Tribe	leslieweber@semtribe.com
Jim Crouch	Sacramento, CA	California Rural Indian Health Board	james.crouch@crihb.net
Donita Stephens	Nashville, TN	Choctaw Tribe	drstephens@choctaw.org
Laurie Lus	Scottsdale, AZ	Salt River Pima-Maricopa Indian Community	laurie.lus@srpmic-nsn.gov
Valerie Davidson	Anchorage, AK	Alaska Native Tribal Health Consortium	vdavidson@anthc.org
Luke Welles	Barrow, AK	Arctic Slope Native Association	luke.welles@arcticslope.org