

Alaska Native Medical Center

Eligibility to Receive Direct Health Services at ANMC Policy # 703E

Purpose

The purpose of this policy is to define the categories of individuals eligible to receive direct health care at the Alaska Native Medical Center (“ANMC”). This policy reflects the applicable provisions of law, the Alaska Tribal Health Compact, the Funding Agreements of the Alaska Native Tribal Health Consortium (“ANTHC”) and Southcentral Foundation (“SCF”), and other applicable agreements that ANTHC and SCF have entered into with the Indian Health Service (“IHS.”).

Scope

This policy defines the categories of individuals who may receive direct health services. *See "Eligibility to Receive Contract Health Services Policy"* for categories of individuals eligible to receive contract health services. This policy does not address who must pay for services, or how and when they will be billed. For that information, *see "Who Must Pay for Services Policy"*.

Policy

1. **Generally.** ANMC will provide direct health care services to eligible individuals in accordance with this policy. This policy describes all individuals who may be served and the services they may receive. Some groups may personally be required to pay for all services, while other groups may not. In all cases, even where the patient is not personally required to pay, ANMC must bill the patient's health insurer, Medicare, Medicaid, or other responsible third party, as appropriate. (*See "Who Must Pay for Services Policy"*.)

2. **Definitions:**

2.2 "American Indian" or "Alaska Native" means:

- 2.2.1 An Alaska Native person listed on the original Alaska Native Claims Settlement Act (ANCSA) roll;
- 2.2.2 A lineal descendant of a person listed on the original ANCSA roll;
 - 2.2.2.1 A person holding a Certificate of Indian Blood (CIB) issued by the Bureau of Indian Affairs (BIA) or a federally recognized tribe.
- 2.2.3 A person recognized as an official member of a federally recognized Indian tribe (excluding honorary or other non-constitutional or non-customary forms of membership).

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- 2.2.4 "ANMC Physician" means a physician who is a member of the ANMC medical staff who is making a medical determination while performing duties directed by ANMC.
- 2.2.5 "Direct Health Services" means health services provided anywhere on the campus and services provided by ANMC practitioners at the request of other Alaska Tribal Health programs at other Alaska tribal health facilities.
- 2.2.6 "Eligible" means eligible to receive direct health care services from ANMC under this policy.
- 2.2.7 "Employee" means any member of the workforce of ANTHC or SCF, and includes direct hire employees of ANTHC or SCF, federal employees on assignment to ANTHC or under an Intergovernmental Personnel Act (IPA) Agreement or a Memorandum of Agreement (MOA), individuals working under a personal services contract with ANTHC or SCF, and volunteers.
- 2.2.8 For the purposes of eligibility, the determination of "Minor" means under the age of nineteen (19) years.
- 2.2.9 "Non-Indian" means any person who does not meet the definition of "American Indian" or "Alaska Native"
- 2.2.10 "Spouse" means the husband or wife of an individual under the laws of any tribe or state.
- 2.2.11 For the purposes of paragraph 3.4.7, "Dependent" means an individual who is treated as the dependent of an employee of ANTHC, SCF, IHS or a Cook Inlet Health & Welfare Trust ("CIHWT") participant.

3. **Eligibility to Receive the Full Range of Direct Health Services-** ANMC will provide the full range of direct health services to the following categories of individuals whose eligibility has been established below:

- 3.1 American Indians or Alaska Natives.
- 3.2 Children of an eligible Alaska Native or American Indian, including non Indian foster children, adopted children, stepchildren, legal wards or orphans, until they reach the age of nineteen.
- 3.3 Legally incompetent non-Indian adults who were eligible under paragraph

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3.3.2. above when they became incompetent, until one year after the disability no longer exists.

3.4 Non-Indian spouse of an eligible Alaska Native or American Indian with the 3.4 requisite tribal resolution. Such spouses are personally liable to pay for services provided at ANMC. *See "Who Must Pay for Services."*

3.4. **Eligibility to Receive Limited Types of Services**

ANMC will provide limited direct health services to the following categories of individuals:

3.4.1. **Non-Indian Woman Pregnant with Indian Man's Child**

ANMC will provide limited services to non-Indian women pregnant with an eligible American Indian or Alaska Native man's child.

3.4.1.1. Services for these women are limited to those services that will affect the outcome of the pregnancy, and postpartum services.

3.4.1.2. An ANMC physician will make the determination as to whether services are necessary or not.

3.4.1.2.1. Services that are not related to the pregnancy should not be provided if in the absence of such service no harm will come to the mother or child.

3.4.1.3. Postpartum is six (6) weeks in most cases, but may be longer as determined by an ANMC physician.

3.4.2. **Immediate Family if Directly Related to Treatment of Eligible American Indian or Alaska Native.**

3.4.2.1. ANMC will provide direct services to a non-Indian spouse or partner of an eligible American Indian or Alaska Native for the treatment of gonorrhea, chlamydia, syphilis, and trichomoniasis.

3.4.2.2. ANMC will also provide tubal sterilizations or vasectomies to the same category of individuals.

3.4.3. **Non-Indian Member of the Household of an Eligible American Indian or Alaska Native to Control Acute Infectious Disease or a Public Health Hazard**

On a case-by-case basis ANMC will provide direct services to non-Indian

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members of the household of an eligible American Indian or Alaska Native, whether or not related by blood or marriage, if the Medical Director determines that the services are necessary to control acute infectious disease or a public health hazard.

3.4.4. Non-Indian Member of the Household of an Eligible American Indian or Alaska Native to Control Acute Infectious Disease or a Public Health Hazard

On an outbreak-by-outbreak basis ANMC will provide direct services to non-Indian members of the general community if the Medical Director determines that the services are necessary to control acute infectious disease or a public health hazard.

3.4.5. Officers of the Commissioned Corps

ANMC will provide services to active duty and retired officers of the Commissioned Corps who currently or formerly worked in an IHS or tribally operated health program in Alaska, and their dependents.

3.4.5.1. Services to these individuals may be limited based on capacity and budgetary constraints.

3.4.6. Alaska Federal Healthcare Partnership Beneficiaries

ANMC will provide specified services to federal beneficiaries as defined by operating agreements pursuant to the Alaska Federal Healthcare Partnership Agreement (AFHPA). The specific beneficiaries covered by agreements, and types of services they may receive under the agreements, are identified under the Alaska Healthcare Partnership (AFHCP # AK-IA-02-0002.).

3.4.7. Non-Beneficiary Employees of ANTHC, SCF, IHS and CIHWT participants.

3.4.7.1. In order to provide a safe and healthy environment for patients, ANMC may provide non-beneficiary ANTHC and SCF employees with limited health screening and preventive health services, such as, tuberculosis testing, flu shots and treatment for exposure to blood-borne contaminants.

3.4.7.2. The Emergency Department may serve as the on-site medical clinic for employees assigned to ANMC requiring medical attention while at work or presenting for work-related injuries.

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- 3.4.7.3. ANMC may provide services to ANTHC, SCF and IHS non-beneficiary employees and their dependents.
 - 3.4.7.3.1. Services to these individuals may be limited based on capacity and budgetary restraints, or to ensure that such services do not result in a denial or diminution of services to Alaska Native or American Indian beneficiaries.
- 3.4.7.4. ANMC may provide services to non-beneficiary employees of the CIHWT participants and their dependents.
 - 3.4.7.4.1. Services to these individuals may be limited based on capacity and budgetary restraints, or to ensure that such services do not result in a denial or diminution of services to Alaska Native or American Indian beneficiaries.
- 3.4.7.5. Individuals who receive service under paragraph Section 3.4.7 are personally liable to pay for services provided at ANMC. *See "Who Must Pay for Services, paragraph 3.5.*
 - 3.4.7.5.1. ANMC may impose reasonable conditions and requirements to ensure payment is made.

3.4.8. Services in Support of Other Tribal Health Programs

ANMC practitioners may provide services at other tribal health program locations to individuals who would not otherwise be eligible to receive services at ANMC, provided the tribal health program has authorized them.

3.4.9. Services Authorized by Board Resolution.

- 3.4.9.1. ANMC may provide services to other individuals in circumstances authorized by the SCF or ANTHC Boards of Directors, provided that it does not result in a denial or diminution of services to Alaska Native or American Indian beneficiaries.
 - 3.4.9.1.1. Individuals who receive service under this paragraph are personally liable to pay for services provided at ANMC. *See "Who Must Pay for Services, paragraph 3.5.*
 - 3.4.9.1.2. ANMC may impose reasonable conditions and

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requirements to ensure payment is made.

3.5. Services Pending Verification of Eligibility or in Emergencies

3.5.1. Pending Verification

3.5.1.1. Pending verification of an individual's eligibility under paragraph 3.3.or 3.4. above, ANMC will only provide services when the applicant's condition is such that immediate care and treatment are necessary as determined by an ANMC physician.

3.5.1.2. The physician should postpone treatment if it can be postponed until eligibility is confirmed.

3.5.1.3. Patients presenting for emergency services must always be screened and treated, in accordance with paragraph 3.5.2. below.

3.5.2. Emergency Care

3.5.2.1. ANMC will provide emergency medical screening and stabilization to all individuals, including those who not otherwise are eligible for services, in accordance with the EMS/EMTALA Policy and related procedures.

3.5.2.1.1. ANMC may also provide additional care that may be needed until an appropriate referral can be made and/or to complete the course of treatment.

3.6. Acceptable Forms of Proof for Eligibility

Formal documented proof of eligibility will normally be required. However, ANMC may accept other reliable forms of proof.

3.6.1. American Indians and Alaska Natives

Any one of the following forms of proof will alone be sufficient to establish that an individual is Alaska Native or American Indian. (Note: Proof of U. S. citizenship will not normally be required. However, a person who is determined not to be a U. S. citizen must prove that he or she is enrolled in a federally recognized tribe under paragraph 3.6.1.4. below.)

3.6.1.1. Proof that the person is a Native listed on the original Alaska Native Claim Settlement Act (ANCSA) rolls; or

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- 3.6.1.2. Proof that the person is the lineal descendent of a person listed on the original ANCSA rolls (e.g., birth certificate and proof that one parent was listed on the ANCSA rolls); or
- 3.6.1.3. Proof that a person holds a Certificate of Indian Blood (CIB) issued by the BIA or a federally recognized tribe.
- 3.6.1.4. Proof of enrollment in an Indian tribe officially recognized by the United States (e.g., tribal enrollment card); or
- 3.6.1.5. Proof that the individual was born at ANMC and at least one biological parent has established independently that he or she is Alaska Native or American Indian.

3.6.2. Minor Children of an Eligible American Indian or Alaska Native

Children younger than nineteen (19), whether themselves Indian or not, are eligible if they are the biological child, adopted child, foster child, step-child, legal ward or orphan of an Alaska Native/American Indian. If the child is shown personally to be American Indian or Alaska Native under paragraph 3.6.1. above, no other proof is necessary. Otherwise, the minor child must prove both that a particular person is an American Indian/Alaska Native under paragraph 3.6.1. above, and that the child is that person's biological child, adopted child, foster child, step-child, legal ward, or orphan.

- 3.6.2.1. Proof that the other person (*i.e.*, parent or guardian) is or was an Alaska Native/American Indian must satisfy paragraph 3.6.1. above.
- 3.6.2.2. Biological children may provide any one of the following:
 - 3.6.2.2.1. A state or tribal birth certificate, naming the Alaska Native or American Indian person as the child's mother or father;
 - 3.6.2.2.2. An affidavit signed by the Alaska Native or American Indian person, acknowledging that the minor is his or her child;
 - 3.6.2.2.3. A state or tribal court order declaring that the minor is the Alaska Native or American Indian person's child;

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- 3.6.2.2.4. Proof that the Alaska Native or American Indian person was married, under state or tribal law, to the child's mother at the time of the child's birth; or
 - 3.6.2.2.5. Proof that the child was born to the Alaska Native or American Indian person at ANMC.
 - 3.6.2.3. Adopted children must provide ANMC with a copy of the state or tribal court order issuing their adoption or with an affidavit or sworn statement verifying that a cultural or traditional adoption occurred in accordance with tribal law and custom.
 - 3.6.2.4. Foster children must provide ANMC with a copy of the state or tribal court order that placed them with the American Indian or Alaska Native foster parent.
 - 3.6.2.4.1. A court order will usually be time limited (normally a six month placement), therefore upon expiration of the order a copy of a new order must be provided to ANMC.
 - 3.6.2.5. Step-children must provide ANMC with a copy of their parents' marriage certificate.
 - 3.6.2.6. Legal wards must provide ANMC with a copy of a guardianship order issued by a state or tribal court.
- 3.6.3. Legally Incompetent Adults Who Were Eligible as Minors**

A person who was eligible as a minor child under paragraph 3.6.2. above, and was found to be legally incompetent before turning nineteen (19), continues to be eligible after turning nineteen until one year after the legal incompetency ends. (Note: Eligibility continues even if the child's relationship with the eligible Alaska Native/American Indian has ended.)

The person must provide:

- 3.6.3.1. Proof under paragraph 3.6.2. above that he or she was eligible as a minor; and
- 3.6.3.2. Either:
 - 3.6.3.2.1. a copy of a state or tribal court order issued before the person's nineteenth birthday, declaring that the

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child is legally incompetent; or

- 3.6.3.2.2 proof that the individual was eligible for Supplemental Security Income (SSI) on his or her nineteenth birthday and remains eligible.

3.6.4. Non-Indian Spouse Based on Resolution of the Indian Spouse's Tribe

ANMC will provide direct health services to non-Indian spouses of eligible American Indians or Alaska Natives if the tribe of the eligible American Indian or Alaska Native has passed a tribal resolution making spouses as a class eligible for services. For the definition of "spouse" see paragraph 3.2.8.

All of the following forms of proof are necessary to establish that a non-Indian spouse may receive direct health services.

- 3.6.4.1. A copy of a current tribal resolution of a federally recognized tribe that makes tribal spouses as a class eligible for services;
- 3.6.4.2. A state or tribal marriage certificate showing that the applicant is legally married to the eligible American Indian/Alaska Native; and
- 3.6.4.3. Proof that the Indian spouse is an enrolled member of the tribe that passed the resolution.

3.6.5. Non-Indian Pregnant with Indian Man's Child

The following forms of proof are necessary to establish that a non-Indian woman is pregnant, and that the child she is pregnant with is that of an eligible American Indian or Alaska Native.

- 3.6.5.1. If it is not obvious that the woman is pregnant she must provide proof of her pregnancy in the form of a positive HCG test. ANMC will not provide this test.
- 3.6.5.2. In order to establish that the woman is pregnant by an eligible American Indian or Alaska Native the woman must provide the following forms of proof.
 - 3.6.5.2.1. Proof that the father of the baby is American Indian or Alaska Native (See Section 3.6.1. above); *and*
 - 3.6.5.2.2. Proof of marriage to an American Indian or Alaska

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Native under the laws of any state or any tribe (e.g., official copy of a marriage certificate, or verification by the appropriate tribal official); *or*

- 3.6.5.2.3. Proof of paternity of an American Indian or Alaska Native such as a notarized acknowledgment of paternity, or a state or tribal court order that issues a finding of paternity.

3.6.6. Immediate Family if Directly Related to Beneficiary's Treatment

The following forms of proof are necessary to establish that an individual is the spouse or partner of an eligible American Indian or Alaska Native.

Proof of the relationship will be placed in the file of the American Indian or Alaska Native as well. If more than one person claims to be the spouse or partner of the American Indian or Alaska Native further investigation may be done to determine if the relationship is valid.

- 3.6.6.1. Proof that the spouse or partner is an eligible American Indian/Alaska Native under paragraph 3.6.1; and

- 3.6.6.2. Either:

- 3.6.6.2.1 Proof of marriage to an American Indian or Alaska Native under the laws of any state or any tribe (e.g., official copy of a marriage certificate, or verification by the appropriate tribal official);

- 3.6.6.2.2. Written or verbal acknowledgment by the American Indian or Alaska Native that the individuals have an intimate sexual relationship; or

- 3.6.6.2.3. Proof that the individual and the American Indian or Alaska Native have had a child together.

3.6.7. Non-Indian Member of the Household of an Eligible American Indian or Alaska Native to Control Acute Infectious Disease or a Public Health Hazard

The following forms of proof are necessary to establish that an individual is a member of the household of an eligible American Indian or Alaska Native.

- 3.6.7.1. Reasonable evidence that the person is a member of the

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household of the American Indian/Alaska Native (e.g., lease agreement, utility bills, joint checking accounts); and

- 3.6.7.2. Proof of the Alaska Native/American Indian person's eligibility under paragraph 3.6.1.

3.6.8. Active and Retired ANMC Commissioned Corp Officers and Their Dependents.

The following forms of proof are necessary to establish that an individual is an active or retired officer of the Commissioned Corp who currently works, or formerly worked, in an IHS or tribally operated health program in Alaska, or that an individual is the dependent of such an Officer.

- 3.6.8.1. Official federal identification that indicates the officer's status as a Commissioned Officer or Retired Commissioned Officer;
and
- 3.6.8.2. Evidence of current or former employment at an IHS or tribally operated health program in Alaska.
- 3.6.8.3. For dependents, evidence of their relationship with the Commissioned Officer.

3.6.9. Alaska Federal Healthcare Partnership Beneficiaries

The following forms of proof are necessary to establish that an individual is a Department of Defense Tri-Care beneficiary or dependent.

- 3.6.9.1. Official Tri-Care beneficiary card or other formal documentation issued by Tri-Care.
- 3.6.9.2. Dependents must provide ANMC with proof of relationship with the Tri-Care beneficiary.

3.6.10. Employees of ANTHC, SCF and the IHS and Dependents

The following forms of proof are necessary to establish that an individual is an employee of ANTHC, SCF or the IHS or a dependent.

- 3.6.10.1. Current employee identification badge; or
- 3.6.10.2. Confirmation of employment by ANTHC, SCF or the IHS.

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- 3.6.10.3. Dependents of ANTHC, SCF and IHS must provide ANMC with proof of their relationship with the ANTHC, SCF or IHS employee.

3.6.11. Persons Served in Support of Other Tribal Health Programs

Patients will be presumed eligible for services provided by ANMC practitioners in support of another tribal health program if the tribal health program included the patient in the panel of patients to be seen by the ANMC practitioner during a visit to the other tribal health program.

3.6.12. Employees of CIHWT Participants and Dependents

The following forms of proof are necessary to establish that an individual is an eligible employee of a CIHWT Participant or dependent.

- 3.6.12.1. Official verification by the CIHWT, including a card or other formal documentation issued by the CIHWT.

- 3.6.12.2. Dependents must provide ANMC with proof of their relationship with the CIHWT participant employee.

3.7. False Information

Any ANMC staff person who becomes aware that a person receiving services may have provided false proof of eligibility should report that information to the billing office for further investigation.

3.8. Appeals Process

- 3.8.1. An individual who has been denied eligibility for services at ANMC may file a written appeal within thirty (30) calendar days of the denial with the ANMC Hospital Administrator or designee requesting review of the denial.

- 3.8.1.1. If the individual is still not satisfied with the ANMC Administrator's decision a written appeal may be made within thirty (30) calendar days of the decision to the ANMC Joint Operating Board.

- 3.8.1.1.1. The decision of the Board is final and no further appeal will be considered.

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Responsibility:	ANMC Administrator
Written:	1988
Recommend approval and date	ANMC Executive Management Team 6-30-2010, 12/10/10, 05/21/13
Approval:	Joint Operating Board
Date of approval:	3/9/07. 10/7/10; 12/13/10;7/1/13
Date last reviewed:	09/00, 02/02, 06/03, 09/03, 3/07, 6/10 without content change; 12/10/10, 5/21/13
Date last revised:	09/00, 02/02, 06/03, 09/03, 3/07; 12/10/10, 5/21/13
Supercedes:	ANMC Circular # J 98-04; ANMC Policy # 703, # 703A, # 703 B (3/07 reviewed without change to content – new number reflects only date of review and name of current JOB Chairman); 6/10 review retained same number as no content change to Policy only addition is that of ANMC Administrator’s signature along with JOB Chairman’s signature to ANMC Policies; # 703 C – change in eligibility status in that insured non-beneficiary employees and their insured dependants deemed eligible, as described, for direct services at ANMC,703D

Official Signature on File

o/s: Sally Smith
Chair, Joint Operating Board

Official Signature on File

o/s: Dr. Paul Franke
ANMC Administrator