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Department:	Organization-Wide Policy	Policy #703
Approved By:	Joint Operating Board	Effective Date: 1988
Policy Owner:	ANMC Hospital Administrator	Last Reviewed: 8/16/2023

1. 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 ANTHC and SCF have entered into with the Indian Health Service (IHS).

2. 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. See *Who Must Pay for Services Policy*.

3. Definitions:

- 3.1. For purposes of this policy and its implementing procedures, these terms have the following definitions.
- 3.1.1. Alaska Native or American Indian People: As defined in accordance with 25 USC § 1603(13).
 - 3.1.2. ANMC Provider: a provider who is a member of the ANMC medical staff who is making a medical determination while performing duties directed by ANMC.
 - 3.1.3. Dependent: an individual who is treated as the dependent of an employee of ANTHC, SCF, or IHS.
 - 3.1.4. Direct Health Services: 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.

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- 3.1.5. Eligible: eligible to receive direct health care services from ANMC under this policy.
- 3.1.6. Employee: any member of the workforce of ANTHC or SCF, including direct hire employees, federal employees on assignment 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.
- 3.1.7. Minor: for the purposes of eligibility, minor means under the age of 19 years.
- 3.1.8. Non-Native: any person who does not meet the requirements for “Alaska Native” or “American Indian” people.
- 3.1.9. Spouse: the husband or wife of an individual under the laws of any tribe, state or country.

4. Policy:

- 4.1. 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*.
- 4.2. 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:
 - 4.2.1. Alaska Native or American Indian people;
 - 4.2.2. children of eligible Alaska Native or American Indian people, including non-Native foster children, adopted children, stepchildren, legal wards, or orphans, until they reach the age of 19;
 - 4.2.3. legally incompetent non-Native adults who were eligible under Subsection 4.2.2 above when they became incompetent, until one year after the disability no longer exists; and
 - 4.2.4. the non-Native spouse of an eligible Alaska Native or American Indian person with the requisite tribal resolution. Such spouses are personally liable to pay for services provided at ANMC. See *Who Must Pay for Services Policy*.

4.3. Eligibility to Receive Limited Types of Services.

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

4.3.1.1. Non-Native Woman Pregnant with an Alaska Native or American Indian Man's Child.

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

4.3.1.1.2 Services for these women are limited to those services affecting the outcome of the pregnancy and postpartum services.

4.3.1.1.2.1. An ANMC provider will make the determination as to whether services are necessary or not.

4.3.1.1.3 Services 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.

4.3.1.1.4 Postpartum is 6 weeks in most cases, but may be longer as determined by an ANMC provider in conjunction with the Chief Medical Officer and Senior Director of Quality Assurance.

4.3.1.2. Immediate Family if Directly Related to the Treatment of Eligible Alaska Native or American Indian People.

4.3.1.2.1 ANMC will provide direct services to a non-Native spouse or partner(s) of an eligible Alaska Native or American Indian person for the treatment of gonorrhea, chlamydia, syphilis, and trichomonas.

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

4.3.1.2.3 ANMC will provide genetic testing or other services if the testing/service is deemed necessary by a provider

for improving the healthcare of an eligible Alaska Native or American Indian person.

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

4.3.1.3.1 On a case-by-case basis, ANMC will provide direct services to non-Native members of the household of an eligible Alaska Native or American Indian person, whether or not related by blood or marriage, if the Hospital Administrator with consultation of the Chief Medical Officer and Medical Director of Quality Assurance, or their designee determines the services are necessary to control acute infectious disease or a public health hazard.

4.3.1.3.2 On an outbreak-by-outbreak basis, ANMC will provide direct services to non-Native members of the general community if the Hospital Administrator with consultation of the Chief Medical Officer or Medical Director of Quality Assurance or their designee determines the services are necessary to control acute infectious disease or a public health hazard.

4.3.1.4. Officers of the Commissioned Corps.

4.3.1.4.1 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.

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

4.3.1.5. Alaska Federal Healthcare Partnership Beneficiaries.

4.3.1.5.1 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.).

4.3.1.6. Non-Beneficiary Employees of ANTHC, SCF, or IHS.

4.3.1.6.1 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.

4.3.1.6.2 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.

4.3.1.6.3 ANMC may provide services to ANTHC, SCF, and IHS non-beneficiary employees and their dependents.

4.3.1.6.3.1. Services to these individuals may be limited based on capacity and budgetary restraints, or to ensure such services do not result in a denial or diminution of services to Alaska Native or American Indian beneficiaries.

4.3.1.6.4 Individuals who receive service under Subsection 4.3.1.6 are personally liable to pay for services provided at ANMC. See *Who Must Pay for Services Policy*, Subsection 3.5.

4.3.1.6.4.1. ANMC may impose reasonable conditions and requirements to ensure payment is made.

4.3.1.7. Services in Support of Other Tribal Health Programs.

4.3.1.7.1 When providing services at other tribal health program locations ANMC providers may provide services at these 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.

4.3.1.8. Services Authorized by Board Resolution.

4.3.1.8.1 ANMC may provide services to other individuals in circumstances authorized by the SCF or ANTHC Boards of Directors, provided it does not result in a denial or diminution of services to Alaska Native or American Indian beneficiaries.

4.3.1.8.1.1. Individuals who receive service under this paragraph are personally liable to pay for services provided at ANMC. See Who Must Pay for Services Policy, Subsection 3.5.

4.3.1.8.1.2. ANMC may impose reasonable conditions and requirements to ensure payment is made.

4.3.2. Services Pending Verification of Eligibility or in Emergencies.

4.3.2.1. Pending Verification.

4.3.2.1.1 Pending verification of an individual's eligibility under Sections 4.2 or 4.3 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 provider.

4.3.2.1.2 The provider should postpone treatment if it can be postponed until eligibility is confirmed.

4.3.2.1.3 Patients presenting for emergency services must always be screened and treated, in accordance with Subsection 4.3.2.2 below.

4.3.2.2. Emergency Care.

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

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

4.3.3. Acceptable Forms of Proof for Eligibility.

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

4.3.3.2. Alaska Native and American Indian peoples.

4.3.3.2.1 Any one of the following forms of proof is sufficient to establish an individual is an Alaska Native or American Indian person eligible for services. (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 he or she is enrolled in a federally recognized tribe under Subsection 4.3.3.2.1.3. below.)

4.3.3.2.1.1. Proof a person holds a Certificate of Indian Blood (CIB) issued by the BIA or a federally-recognized tribe;

4.3.3.2.1.2. Proof of enrollment in an Alaska Native or American Indian tribe officially recognized by the United States (e.g., tribal enrollment card); or

4.3.3.2.1.3. Proof the individual was born at ANMC and at least one biological parent has established independently he or she is an Alaska Native or American Indian person.

4.3.3.3. Minor Children of an Eligible Alaska Native or American Indian Person.

4.3.3.3.1 Children younger than 19, whether themselves Alaska Native or American Indian or not, are eligible if they are the biological child, adopted child, foster child, stepchild, legal ward, or orphan of an Alaska Native or American Indian person. If the child is shown personally to be Alaska Native or American Indian

person under Subsection 4.3.3.2. above, no other proof is necessary. Otherwise, the minor child must prove both a particular person is an Alaska Native or American Indian person under Subsection 4.3.3.2. above, and the child is that person's biological child, adopted child, foster child, stepchild, legal ward, or orphan.

4.3.3.4. Proof the other person (*i.e.*, parent or guardian) is or was Alaska Native or American Indian person under Subsection 4.3.3.2. above.

4.3.3.4.1 Biological children may provide any one of the following:

4.3.3.4.1.1. a state or tribal birth certificate naming the Alaska Native or American Indian person as the child's mother or father;

4.3.3.4.1.2. an affidavit signed by the Alaska Native or American Indian person, acknowledging the minor is his or her child;

4.3.3.4.1.3. a state or tribal court order declaring the minor is the Alaska Native or American Indian person's child;

4.3.3.4.1.4. proof 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

4.3.3.4.1.5. proof the child was born to the Alaska Native or American Indian person at ANMC.

4.3.3.4.2 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 a cultural or traditional adoption occurred in accordance with tribal law and custom.

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4.3.3.4.3 Foster children must provide ANMC with a copy of the state or tribal court order placing them with the Alaska Native or American Indian foster parent.

4.3.3.4.3.1. 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.

4.3.3.4.4 Stepchildren must provide ANMC with a copy of their parents' marriage certificate.

4.3.3.4.5 Legal wards must provide ANMC with a copy of a guardianship order issued by a state or tribal court.

4.3.3.5. Legally Incompetent Non-Native Adults Who Were Eligible as Minors.

4.3.3.5.1 A person who was eligible as a minor child under Subsection 4.3.3.3. above and was determined to be legally incompetent prior to attaining 19 years of age remains eligible for such services until 1 year after the date of a determination of competency. (Note: Eligibility continues even if the child's relationship with the eligible Alaska Native or American Indian person has ended.)

4.3.3.5.1.1. However, the State of Alaska or any third-party coverage (i.e., Medicare SSDI, or Medicaid) could be charged as a responsible third party for services provided to an individual who is in the legal custody of the State;

4.3.3.5.2 The person must provide:

4.3.3.5.2.1. Proof under Subsection 4.3.3.3. above he or she was eligible as a minor; and

4.3.3.5.2.2. Either:

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4.3.3.5.2.2.1. a copy of a state or tribal court order issued before the person's 19th birthday, declaring the child is legally incompetent; or

4.3.3.5.2.2.2. proof the individual was eligible for Supplemental Security Income (SSI) on his or her 19th birthday and remains eligible.

4.3.3.6. Non-Native Spouse Based on Resolution of the Alaska Native or American Indian Spouse's Tribe.

4.3.3.6.1 ANMC will provide direct health services to non-Native spouses of eligible Alaska Native or American Indian people if the tribe of the eligible Alaska Native or American Indian person has passed a tribal resolution making spouses eligible for services.

4.3.3.6.2 All the following forms of proof are necessary to establish a non-Native spouse may receive direct health services:

4.3.3.7.2.1. a copy of a current tribal resolution of a federally-recognized tribe making tribal spouses as a class eligible for services;

4.3.3.7.2.2. a state or tribal marriage certificate showing the applicant is legally married to the eligible Alaska Native or American Indian person; and

4.3.3.7.2.3. proof the Alaska Native or American Indian spouse is an enrolled member of the tribe that passed the resolution.

4.3.3.8. Non-Native Woman Pregnant with an Indian Man's Child.

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

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- 4.3.3.8.1.1. proof the father of the baby is an Alaska Native or American Indian person (See Section 4.3.1.1 above); and
- 4.3.3.8.1.2. proof of marriage to an Alaska Native or American Indian person by providing an official copy of a marriage certificate, or verification by the appropriate tribal official); or
- 4.3.3.8.1.3. proof of paternity of an Alaska Native or American Indian person, such as a notarized acknowledgment of paternity, or a state or tribal court order issuing a finding of paternity.

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

- 4.3.3.9.1 The following forms of proof are necessary to establish an individual is the spouse or partner of an eligible Alaska Native or American Indian person:
 - 4.3.3.9.1.1. proof the spouse or partner is an eligible Alaska Native or American Indian person under Subsection 4.3.1.2; and
 - 4.3.3.9.1.2. either:
 - 4.3.3.9.1.2.1. proof of marriage to an Alaska Native or American Indian person under the laws of any state or any tribe (e.g., official copy of a marriage certificate, or verification by the appropriate tribal official);
 - 4.3.3.9.1.2.2. written or verbal acknowledgment by the Alaska Native or American Indian person that the individual is the parent of the child, or was potentially involved in transmission of an infectious disease; or

4.3.3.9.2.2.3. proof the individual and the Alaska Native or American Indian person had a child together.

4.3.3.9.1.3. Proof of the relationship will be placed in the file of the Alaska Native or American Indian person as well. If more than one person claims to be the spouse or partner of the Alaska Native or American Indian person, further documentation may be needed.

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

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

4.3.3.10.1.1. reasonable evidence the person is a member of the household of the Alaska Native or American Indian person (e.g., lease agreement, utility bills, joint checking accounts, marriage certificate or employment agreement) or verbal acknowledgment by the Alaska Native or American Indian person; and

4.3.3.10.1.2. proof of the Alaska Native or American Indian person's eligibility under Subsection 4.3.3.2.

4.3.3.11. Active and Retired ANMC Commissioned Corps Officers and Their Dependents.

4.3.3.11.1 The following forms of proof are necessary to establish an individual is an active or retired officer of the Commissioned Corps 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:

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4.3.3.11.1.1. official federal identification indicating the officer's status as a Commissioned Officer or Retired Commissioned Officer; and

4.3.3.11.1.2. evidence of current or former employment at an IHS or tribally-operated health program in Alaska.

4.3.3.11.1.3. For dependents, evidence of their relationship with the Commissioned Officer.

4.3.3.12. Alaska Federal Healthcare Partnership Beneficiaries.

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

4.3.3.12.1.1. official Tri-Care beneficiary card or other formal documentation issued by Tri-Care.

4.3.3.12.1.2. Dependents must provide ANMC with proof of relationship with the Tri-Care beneficiary.

4.3.3.13. Employees of ANTHC, SCF, and IHS and Dependents.

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

4.3.3.13.1.1. current employee identification badge; or

4.3.3.13.1.2. confirmation of employment by ANTHC, SCF, or IHS.

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

4.3.3.14. Persons Served in Support of Other Tribal Health Programs.

4.3.3.14.1 When services are provided at another tribal health program location by ANMC providers, patients will be

presumed eligible for services at that location if the tribal health program included the patient in the panel of patients to be seen by the ANMC provider during a visit to that tribal health program location.

4.3.4. False Information.

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

4.3.5. Appeals Process.

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

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

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

References:

- 1) *Eligibility to Receive Contract Health Services Policy*
- 2) *Who Must Pay for Services Policy*
- 3) Alaska Healthcare Partnership (AFHCP # AK-IA- 02-0002.)
- 4) 25 U.S. Code § 1603(13) – Definitions: <https://www.law.cornell.edu/uscode/text/25/1603>