

Chapter 31

Tribal and Federal Indian Health Services

PrimeWest Health American Indian members, living on or off a reservation, will have direct out-of-network access to Indian Health Service (IHS) facilities and facilities operated by a tribe or tribal organization under funding authorized by United States Code, Title 25, Sections 450f to 450n, or Title III of the Indian Self-Determination Act, Public Law Number 93-638 (Section 638 Facilities or Providers), for services that would otherwise be covered under MN Stat. sec. 256B.0625, even if such facilities are not participating providers. PrimeWest Health shall not require any Service Authorization or impose any condition for an American Indian to access services at such facilities.

The purpose of this chapter is to explain the policy, payment, and billing method for health care services provided through an IHS facility or a tribally owned facility funded by Title I or III of the Indian Self-Determination and Education Assistance Act (Public Law 93-638), as amended. In addition to the IHS- and tribal-specific policies and coverage, these facilities must also comply with all of the standard PrimeWest Health policies, coverage guidelines, and billing policies found in the [PrimeWest Health Provider Manual](#).

Throughout this section, facilities of the Federal IHS will be referred to as “IHS facilities”; facilities operated by federally recognized Indian tribes with Public Law 93-638 funding will be referred to as “tribal facilities.” Facilities operated by tribes that are not federally recognized should refer to [Billing Policy](#), Chapter 4, for payment and billing information.

Definitions

Facility Support Staff: Individuals employed by the health care facility to support the services provided by the facility’s health professionals. These individuals do not generate billable encounters. Examples of facility support staff are: clinic managers, RNs and LPNs not functioning/acting as physician extenders or visiting nurses, lab technicians, and X-ray technicians.

Indian Health Service (IHS) Facility: A hospital, medical or dental clinic, or pharmacy established and operated by the Federal IHS.

IHS Inpatient Per Diem Rate: The IHS inpatient per diem rate is the payment amount established to cover services provided to an inpatient at a hospital that is part of the Federal [IHS](#). PrimeWest Health does not reimburse at the IHS Federal encounter rate.

Outpatient Encounter: An encounter means a face-to-face visit between a member and any health professional at an IHS or tribal facility. Multiple encounters with the same professional or with more than one health professional, within the same service category, on the same day, at a single IHS or tribal location, constitute a single encounter. An exception to this is when the member, after the first visit, suffers an illness or injury requiring additional diagnosis or treatment.

Tribal 638 Facility: Tribally owned facilities funded by Title I or III of the [Indian Self-Determination and Education Assistance Act](#), including all facilities under contract, compact, or receiving grants from the IHS. The tribal facility is operated by a Federally recognized tribe under a funding agreement with IHS. Tribal facilities may elect to be paid at the IHS rates or at fee-for-service rates.

Tribal Facility: A health care facility operated by a tribal organization that is recognized by the Federal government that has not elected designation as a 638 IHS provider. This includes all 638 facilities that are not

listed with the Minnesota Department of Human Services (DHS) as IHS facilities. Services provided to PrimeWest Health members by an enrolled tribal facility are covered if the facility meets the requirements to provide services as specified in [Requirements for Providers](#), Chapter 1.

Eligible Providers

To enroll as a PrimeWest Health provider, contact the PrimeWest Health Provider Contact Center at **1-866-431-0802** (toll free).

Tribal and IHS providers must meet the same service and licensure requirements as all other PrimeWest Health-enrolled providers, with the following exceptions:

1. Federal employees providing health care services at IHS facilities are considered “licensable” and need not actually obtain a Minnesota license in order to be reimbursed
2. [Under M.S. 256B.02, subd. 7](#), a Federally recognized Minnesota tribe may license or credential health care providers using standards adopted by its governing body. Providers credentialed this way may also enroll as PrimeWest Health providers.

The following list identifies occupations considered health professionals for purposes of billing IHS services (this is not an all inclusive list):

1. Advance practice nurse
2. Certified registered nurse anesthetist
3. Chiropractor
4. Clinical nurse specialist
5. Clinical specialist in psychiatric and mental health nursing
6. Counselor
7. Dentist
8. Dental hygienist
9. Home health aide
10. Licensed clinical social worker
11. Midwife
12. Nurse practitioner
13. Optometrist
14. Personal care assistant
15. Physical therapist
16. Physician
17. Physician assistant
18. Physician extender
19. Podiatrist
20. Psychologist
21. Registered dietician
22. Visiting nurse

Eligible Members

American Indians (AI) and Alaska Natives (AN) eligible for one of the PrimeWest Health programs are eligible for all covered services of the applicable PrimeWest Health program, even if they are also eligible for services provided through the IHS or tribal facilities.

Covered Services

All services billed to PrimeWest Health must be:

1. Provided by eligible, qualified providers performing services permitted by applicable Federal and State laws and rules
2. Within program service guidelines/limitations
3. Documented in the patient's medical record

[Under MS 256B.0625, subd.34](#), all covered services provided through IHS and tribal facilities are paid by DHS or Medicare Fee-for-Service with the following exception in which PrimeWest Health is billed as primary:

1. Medicare-covered services provided to members in the Medicare Advantage groups (Minnesota Senior Health Options [MSHO]^{*} and Special Needs BasicCare [SNBC])^{**}

Please note that PrimeWest Health does not reimburse at the IHS or tribal encounter rates.

Billing

All services billed to PrimeWest Health provided at an IHS or tribal facility must follow the billing guidelines in [Billing Policy, Chapter 4](#). A 638 IHS organization may provide services other than traditional IHS services; however, only PrimeWest Health-covered services may be billed. Please note that PrimeWest Health reimbursement is not based on IHS per diem rates or Outpatient Encounter rates.

Third Party Liability (TPL)

TPL coverage, including veterans' benefits, private accident insurance, HMO coverage, and other health care coverage held by or on behalf of a PrimeWest Health member is primary to PrimeWest Health except when the TPL is tribal insurance.

Legal References

State

1. Definition of [vendor of medical care](#)
2. [Covered Services of IHS and tribal health care facilities](#)
3. MS 256B.0625, subd. 34

Federal

1. [Federal Register](#)
2. Public Law 93-638; [Indian Self-Determination and Education Assistance Act](#)
3. Public Law 94-427; [Indian Health Care Improvement Act](#) (25 US Chapter 18)

*PrimeWest Health's name for this program is PrimeWest Senior Health Complete (HMO SNP)

**PrimeWest Health's name for this program for our members with Medicare is Prime Health Complete (HMO SNP)