

**REDDING RANCHERIA
TRIBAL GOVERNMENT POLICIES**

Chapter TP 7-750

Member Supplemental Health Program



September 20, 2022

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Chapter TP 7-750
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SECTION 1: PURPOSE

The purpose of the Member Supplemental Health Program is to ensure that all members of the Redding Rancheria have broad access to the highest quality of medical and other health care, to ensure that health status of the membership is elevated to the highest possible level. The program is also to support and protect self-sufficiency and tribal self-determination by ensuring that members have protection from the financial burden of uninsured costs of necessary medical care.

The program is supplemental to all other health care, and intended to operate in coordination with the Member Health Safety Net and health programs operated by the Redding Rancheria. It is deemed necessary by the Rancheria to curb historic patterns with regard to medical care, and to ensure the future success of the tribe. The program serves a core and essential government function of the Rancheria and transcends individual financial need. The assistance provided under this program, like the federal Indian Healthcare Improvement Act, is designed to satisfy an overall long-range need of the community and not merely an individual short-term need of the recipient.

SECTION 2: BACKGROUND AND INTENT

(a) Addressing Tribal Needs and Goals

The members of the Redding Rancheria are eligible for health care services financed by the United States Government through the Indian Health Service and Contract Health Service. The services are required pursuant to the Indian Health Care Improvement Act, which declares, under federal and Congressional policy that:

- (1) “The provision of health services to maintain and improve the health of the Indians are consonant with and required by the Federal Government’s historical and unique legal relationship with, and resulting responsibility to, the American Indian people.”;
- (2) “A major national goal of the United States is to provide the quantity and quality of health services which will permit the health status of Indians to be raised to the highest possible level and to encourage the maximum participation of Indians in the planning and management of those services”; and
- (3) “That it is the policy of this Nation, in fulfillment of its special responsibilities and legal obligation to the American Indian people, to assure the highest possible health status for Indians...and to provide all resources necessary to effect that policy.”

25 U.S.C. Sections 1601 and 1602.

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This program is intended to provide members with the level of care and services they are entitled to under the above federal and Congressional policies but which are being denied due to federal budget shortfalls. Program benefits all provided by the Rancheria under an express reservation of its right to seek reimbursement from the federal government and/or future budget increases to reflect the federal government's failure to meet its responsibilities and obligations identified in 25 U.S.C. Sections 1601 and 1602.

At this time, certain basic medical, dental and vision care are available to Rancheria members through the Indian Health Service-funded clinic. Members are eligible to receive these services at no charge. However, the federal government provides only a portion of the amount needed to finance necessary services. Therefore, services offered by the clinic are rationed. Necessary medical services not offered by the clinic should be paid from Contract Health Service funds. However, due to inadequate financing these services are also rationed and currently available to finance only "urgent and emergent" health care needs. Even though members are eligible to receive a full complement of health services, rationing leaves many needed services underfinanced.

The members of the Tribe appropriate resources through each year's budget to ensure that adequate amounts are available to provide member health care as called for by the above tribal, federal and Congressional policies.

These programs are intended to provide financial support for necessary medical care that is not already available from other sources. The Tribe can ensure that maximum benefit is derived from its own dollars through design of programs that augment and complement other available programs. Accordingly, the program relies on coordination with existing sources of health care financing to ensure efficient use of the program's resources. Nothing in this policy is intended to substitute Redding Rancheria funds for other resources to which a member is entitled for health care, nor to relieve the federal government of its obligations.

(b) Coverage under the Redding Rancheria General Welfare Ordinance

This program and its associated benefits are authorized pursuant to the Redding Rancheria General Welfare Ordinance and Chapter TP 1-1100 of the Redding Rancheria Tribal Governmental Policies, as the same may be amended from time to time, and shall be administered in accordance and compliance therewith. Program benefits are intended to constitute Indian tribal general welfare benefits excluded from taxable income under Internal

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Revenue Code Section 139E. Program benefits modeled after the IRS "safe harbor" rules are also intended to qualify for tax free treatment under IRS Revenue Procedure 2014-35 and Notice 2015-34, as the same may be amended, which are looked to as good faith guidance by the Tribe in applying Code Section 139E pending the issuance of final regulations thereunder. All assistance provided in accordance with this policy is intended to qualify for favorable tax treatment to the fullest extent permitted at law.

The provisions of Chapter TP 1-1100 of the Redding Rancheria Tribal Governmental Policies are hereby incorporated by reference and shall apply to the implementation and benefits authorized by this policy.

SECTION 3: DEFINITIONS

As used within this chapter, the following terms shall mean:

- (a) Administrator: The Chief Executive Officer of the Redding Rancheria or authorized designee.
- (b) Chief Executive Officer (CEO): The Chief Executive Officer of the Redding Rancheria.
- (c) Tribe: The Redding Rancheria, a federally recognized Native American tribe, in Redding, California.
- (d) Tribal Court: The Redding Rancheria Tribal Court.
- (e) Health Care: Necessary medical, dental vision and other services for which Federal Indian Health Service resources may be utilized, including alternative medical practices, and other services that contribute to improved health status.
- (f) Clinic: Redding Rancheria Indian Health Clinic.
- (g) Outside Providers: Health care providers other than the Clinic.
- (h) Pre-approved health care: Use of outside providers that has been authorized by referral from the Clinic.

Other terms utilized herein shall have the same meaning as defined within the General Welfare Ordinance.

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SECTION 4: DELEGATED AUTHORITY

The Chief Executive Officer (CEO) is hereby delegated all administrative authority to carry out the day-to-day operations of the program, in accordance with General Welfare Implementing Policies–Chapter TP 1-1100 of the Redding Rancheria Tribal Government Policies.

SECTION 5: AUTHORIZED PROGRAMS AND SERVICES

There is hereby authorized the Redding Rancheria Tribal Member “Supplemental Health Program.” Program expenditures are authorized for reimbursement of health care services obtained by enrolled members for enrolled members, which services are not paid for by health insurance, Contract Health Service, Medicare, Medicaid or other source of financing to which the member is eligible.

- (a) Amount of the benefit. The amount available shall be the amount set within the current Tribal budget – per member, per year – so long as budgeted resources are available.
- (b) Order of priority. Resources shall be administered on a first-come, first-served basis until budgeted resources are exhausted.
- (c) Authorized Activities. Health services, equipment, pharmaceuticals and medical supplies, for which the participant provides original receipts that include the patient’s name and date of service, type of service, amount, and provider. Services include, but are not limited to:
 - (1) Health care plan deductibles associated with medical, dental, vision care plans.
 - (2) Co-payments associated with medical, dental, and vision care, and prescription pharmaceuticals.
 - (3) Amounts in excess of insurance plan maximums for specific types of health care, such as mental health, chiropractic and physical therapy.
 - (4) Other medical- and health-related expenses not covered, or not fully covered, by insurance or other benefit plans, including:
 - (A) Diabetic supplies
 - (B) Dentures and related supplies

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- (C) Dental supplies
 - (D) Orthodontia and related supplies
 - (E) Oxygen equipment
 - (F) Wheelchair, crutches
 - (G) Weight loss programs
 - (H) Prescription drugs
 - (I) Vaccinations, flu shots
 - (J) Hearing Aids, batteries for operation of hearing aids, repairs
 - (K) Dermatology and other skin treatment
 - (L) Chiropractors and osteopaths
 - (M) Massage therapy
 - (N) Over-the-counter drugs
 - (O) Smoking cessation programs
 - (P) Other eligible expenses, as listed on Exhibit A to this policy and amended from time to time by the Administrator
 - (Q) Health/Fitness equipment (available every other year) up to \$2,000 and limited to Tribal Members 12 years of age and up
- (5) Ineligible services include, but are not limited to:
- (A) Cosmetic Surgery, such as breast enhancement
 - (B) Tattooing
 - (C) Cosmetics and standard toiletries

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- (D) Any eligible services or portion thereof that qualify to be paid for by insurance, Contract Health Service or other program for which the member is entitled.
- (E) Other ineligible expenses, as listed on Exhibit A to this policy and amended from time to time by the Administrator.

SECTION 6: ELIGIBILITY

Enrolled members who have current registration on file with the Tribal Clinic are eligible to participate in the Supplemental Health Program. Members residing outside the Redding Area may register with the Tribal Clinic for the purpose of obtaining services authorized under this program. Registration may be by mail, telephone or in person.

SECTION 7: PROGRAM REQUIREMENTS

- (a) Requests for reimbursements or payment for services provided within any calendar year must be submitted by the end of that calendar year to be eligible for reimbursement or payment against that calendar year's budget.
- (b) The program shall operate on a first-come, first-served basis. The program will cease operation at any point during the calendar year that funds are exhausted.
- (c) Future annual funding is contingent on approval by the General Membership during the budget process.
- (d) To be eligible for reimbursement, provider bills for services must be presented for reimbursement or payment within one year of the date that service was provided.
- (e) If the cost of the services for which reimbursement would otherwise be authorized exceeds the amount that is available for that year for an eligible member, then the amounts not reimbursed may be reimbursed in later years, subject to program limitations and the availability of appropriations.
- (e) Direct payment to vendors and/or providers shall be utilized whenever feasible. In cases where reimbursement or other payments must be made directly to the member, the member shall be required to provide receipts and other evidence of qualifying payments and expenditures as may be requested by the Administrator to ensure program compliance.

SECTION 8: DISPUTES

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The Administrator shall provide a process for review of any disputes arising between enrolled Tribal Members and the Tribal Clinic regarding this program.

Legislative History:

Originally Adopted as part of TP 7-700, pursuant to Tribal Council Resolution #080-12-11-07, dated December 11, 2007.

TP 7-700 Amended by Tribal Council Resolution #061-08-05-08, dated August 5, 2008.

TP 7-700 Amended by Tribal Council Resolution #011-01-24-12, dated January 24, 2012.

TP 7-700 Amended by Tribal Council Resolution #02-04-17-12, dated April 17, 2012.

Originally Adopted as TP 7-750, pursuant to Tribal Council Resolution #084-12-8-15, dated December 8, 2015.

Amended by Tribal Council Resolution #095-09-20-22, dated September 20, 2022.

Tribal Member Supplemental Health Program

Eligible Expenses*

- Abdominal supports
- Abortion
- Acupuncture
- Air conditioner (*when necessary for breathing difficulties*)
- Alcoholism treatment
- Ambulance
- Anesthetist
- Arch supports
- Artificial limbs
- Autoette (*mobility scooter*)
- Birth control pills
- Blood tests
- Blood transfusions
- Braces
- Cardiographs
- Chiropractor
- Childbirth/delivery
- Christian Science practitioner
- Contact lenses
- Contraceptives (*prescription*)
- Convalescent home
- Crutches
- Dental treatment
- Dental X-rays
- Dentures
- Dermatologist and other skin treatment
- Diagnostic fees
- Diathermy
- Drug addiction therapy
- Drugs (*prescription*)
- Elastic hosiery (*prescription*)
- Eyeglasses
- Fees to health institute (*prescription*)
- FICA and FUTA tax for medical service
- Fluoridation unit
- Guide dog
- Gum treatment
- Gynecologist
- Healing services

- Health club expenses (limited to physical fitness and health related activities)
- Hearing aids & batteries
- Hospital bills
- Hydrotherapy
- Insulin treatment
- Lab tests
- Lead paint removal
- Legal fees (*medically related*)
- Lodging (*out-of-town medical care*)
- Massage therapy
- Metabolism tests
- Neurologist
- Nursing (*including board and meals*)
- Obstetrician
- Operating room costs
- Ophthalmologist
- Optician
- Optometrist
- Oral surgery
- Organ transplant (*including donor's expenses*)
- Orthodontia
- Orthopedic shoes
- Orthopedist
- Osteopath
- Oxygen and equipment
- Pediatrician
- Physician
- Physiotherapist
- Podiatrist
- Postnatal treatments
- Practical nurse for medical services
- Prenatal care
- Prescription medicine
- Psychiatrist
- Psychoanalyst
- Psychologist
- Psychotherapy
- Radium therapy
- Registered nurse
- School for disabled
- Spinal fluid test
- Splints

- Sterilization
- Surgeon
- Teeth whitening (*by dentist*)
- Telephone or TV equipment to assist hearing-impaired
- Therapy equipment
- Transportation expenses (*related to medical care*)
- Ultra-violet ray treatment
- Vaccines
- Vasectomy
- Vitamins (*if prescribed*)
- Weight loss program
- Wheelchair
- Health/Fitness equipment (every other year) not to exceed \$2,000
- X-rays

Eligible Over-Counter Drugs

- Antacids
- Antibiotic ointments
- Anti-diarrhea medicine
- Allergy medicines
- Calamine lotion
- Cold medicine
- Cough drops/throat lozenges
- Fiber supplements
- First-aid creams
- Medicated shampoos and soaps
- Motion sickness pills
- Pain relievers
- Pedialyte
- Sinus medications/nasal spray
- Sleep aids
- Smoking-cessation programs
- Suppositories/creams for hemorrhoids
- Vitamins
- Wart removers
- Weight-loss drugs

Ineligible Expenses

- Automobile modifications for disabled
- Automobile insurance
- Boarding school fees
- Bottled water

- Commuting expenses for disabled
- Cosmetic surgery
- Cosmetics, hygiene products
- Dietary supplements
- Funeral, cremation, burial
- Herbs
- Illegal medical procedures
- Illegally procured drugs
- Life or disability insurance
- Lip balm

- Maternity clothes
- Scientology counseling
- Social activities
- Special foods/beverages
- Suntan lotion
- Swimming pool
- Toiletries
- Travel for general health
- Tuition expenses related to problem child

* All eligible expenses are subject to additional limitations regarding the amount that is deemed by the program administrator as customary or reasonable. Expenses included among the list of eligible expenses remain subject to individual review for consistency with all terms, conditions and limitations set forth in the Redding Rancheria Tribal Policies, Chapter TP 7-700, Member Health Care Programs. No expense will be approved which is eligible for third party reimbursement through insurance, Indian Health Services or

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otherwise. All reimbursements are contingent upon proper documentation and receipts as may be requested by the program administrator.