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FIGHTING SENIOR POVERTY THROUGH LAW

Navigating Triple Eligibility: Maximizing Healthcare Access for Tribal Elders

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Justice in Aging is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for older adults with limited resources.

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About Tribal Elders

Who are Tribal elders?

- There are an estimated one million **American Indian/Alaska Native (AI/AN)** older adults in the U.S.
  - Belonging to 575 federally recognized Tribal Nations
- Tremendous diversity in terms of geography, history, language, culture, and traditions
- Tribal elders are viewed as community leaders and wisdom keepers

Tribal Governance & Sovereignty

- **Tribal sovereignty** is the inherent rights and authority of Tribal Nations to govern their peoples' lands, and waterways, recognized through treaty, Constitutional, and federal Indian law
  - Recognizes each Tribal Nation's system of knowledge and ways of being, including spiritual practices, culture, language, social and legal systems, political structures, and inherent relationships with lands, waters, and all upon them

Tribal Governance & Sovereignty Cont.

- Tribal Nation's have a **government-to-government relationship** with the United States
- Through long-standing treaties, the U.S. government has a **federal trust responsibility** to provide healthcare, education, and welfare services to AI/AN people
  - This includes health care provided through the Indian Health Services, Medicaid, and other systems

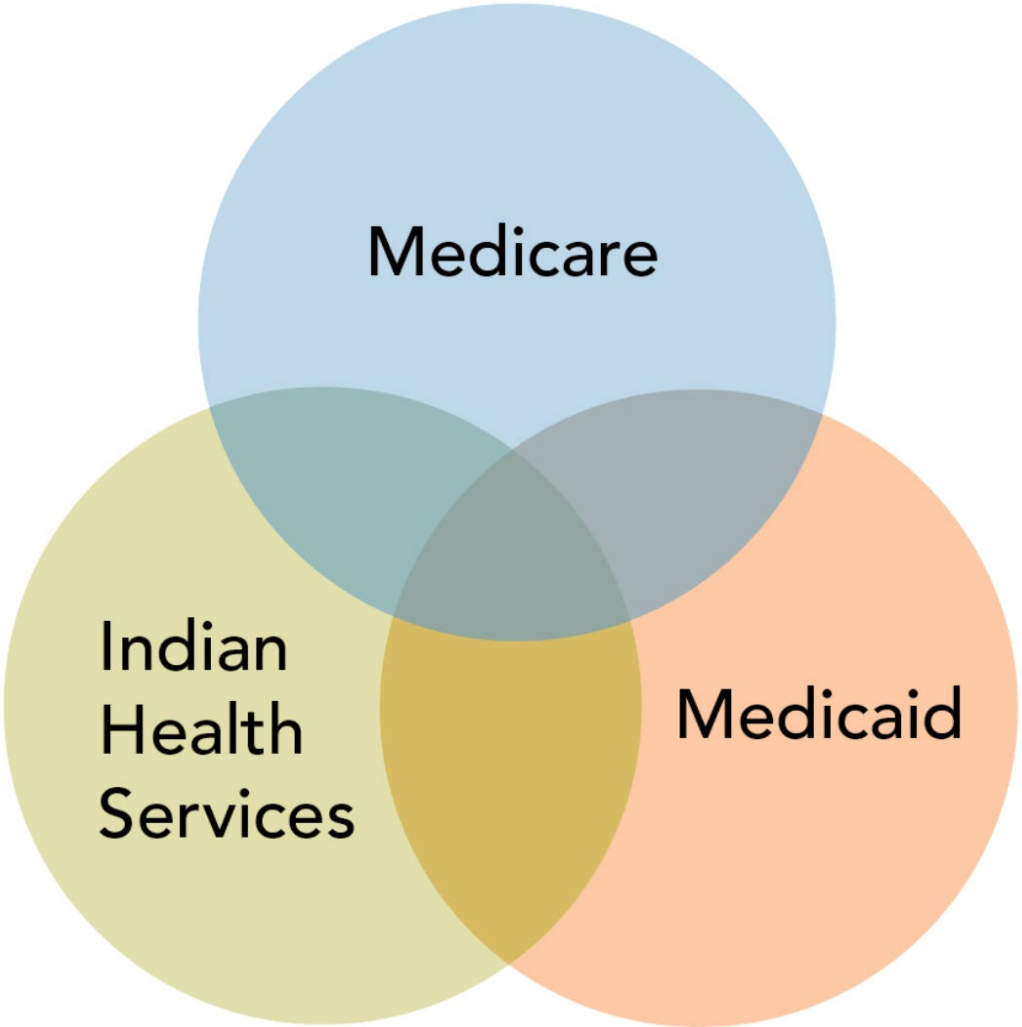
Challenges in Health Care

- AI/AN people, including elders, experience gaps in accessing essential health care services
  - A long history of challenges in healthcare, housing, economic security, and food security contributes to health disparities in AI/AN communities
- Barriers to health care and coverage include
  - Difficulty navigating sources of coverage
  - Geographical, technology, and administrative barriers
  - Mistrust, informed by personal or community experiences



Health Care Coverage

Triple-Eligibility



Indian Health Service (IHS)

- The **Indian Health Services (IHS)** directly provides many essential health services to members of federally recognized tribes at no cost
  - Operates over 700 clinics and 45 hospitals
  - IHS is not a source of insurance
- IHS can sometimes cover services provided by non-IHS providers, through a program called **Purchases and Referred Care (PRC)**
- IHS has been chronically underfunded, estimated to meet 50% of AI/AN people's health needs

Urban Indian Health Programs

- **Urban Indian Health Programs (UIHPs)** are non-profit organizations funded by IHS that provide health and social services to AIAN people in urban areas
  - 59 locations nationwide
  - Enable Tribal elders to access culturally responsive services if they are not on or near an IHS facility

Medicare

- **Medicare** is a federal health insurance program for people 65 and over and people with certain disabilities
  - By enrolling in Medicare, Tribal elders can expand access to health care services
  - By using Medicare to pay for services provided by tribal health providers, they can bring more health care dollars to Tribal Nations
- 96% of Tribal elders are enrolled in Medicare

Medicare Savings Programs

- The **Medicare Savings Programs (MSP)** are run by state Medicaid agencies and help make Medicare more affordable
  - Qualified Medicare Beneficiary (QMB)
  - Specified Low-Income Medicare Beneficiary (SLMB)
  - Qualifying Individual (QI)
  - Qualified Disabled and Working Individual (QDWI)
  - Medicare Low Income Subsidy* (LIS)
- For Tribal elders, distributions from Indian Trusts and certain sources of income (e.g., selling culturally significant artwork, payments from natural resources on Indian trust land) are excluded from MSP
  - 28% of AI/AN people are not enrolled in MSPs

Medicaid

- **Medicaid** is a federal health insurance program available to people dependent on their income, varying by state
- Some Medicaid rules are unique to AI/AN people
  - Certain resources and income sources specific to Tribal Nations are excluded when considering eligibility
  - No cost sharing
  - Indian Trust property and income are not subject to estate recovery
- An estimated 2.7 million AI/AN people are enrolled in Medicaid and about 23% of are 64+

Medicaid HCBS

- **Home- and community-based services (HCBS)** are long-term services and supports that enable a person to age in their home and community, rather than a nursing facility
  - Medicaid is the nation's largest provider of HCBS
- Not only do most people prefer HCBS, but it supports cultural preservation in Tribal Nations

Older Americans Act

- The **Older Americans Act (OAA)** is the cornerstone law that enables older adults to age independently in their homes and communities.
  - Funds programs for nutrition, transportation, legal help, ombudsmen, adult day centers, caregiver support, and other aging services
- Title III provides funding to states
  - Funds Area Agencies on Aging (AAAs)
- Title VI provides funding to Tribal Nations
  - States and Title III are required to coordinate with Title VI Programs to maximize access for tribal elders



Culturally Responsive Outreach and Service Delivery

Partnerships Between State Agencies and Tribal Nations

- Building trust is essential for successful partnerships
  - When applicable, states may be required to engage in tribal consultation
- Best practices for fostering meaningful collaboration as equal partners
  - Regularly occurring meetings
  - Consistency in staffing and planning for knowledge transfer when there is turnover
  - Training on Tribal governance and sovereignty, as well as training specific to the tribes in the service area

Culturally Reflective Support

- Culturally responsive support when navigating enrollment, eligibility, and coverage rules for different health care programs is essential
  - Navigators, Tribal liaisons, and benefits coordinators
  - AI/AN people in these roles
  - Recognizing and compensating the time and resources necessary to develop relationships with elders, their families, and state agency



Additional Resources

Resources

- Justice in Aging Justice for Tribal Elders
- National Indian Council on Aging (NICOA) Technical Assistance and Resource Center
- Justice in Aging Supporting Tribal Elders Through Social Security
- Justice in Aging Supporting Tribal Elders Through HCBS
- Justice in Aging Supporting Tribal Elders Through OAA



Questions?

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