

On Wed., May 21, 2025, Lois Alexander emailed the following:

This question is being forwarded on behalf of Wyoming Insurance Commissioner Jeff Rude, Chair of the American Indian and Alaska Native Liaison Committee, to Committee Members and Interested Regulators.

The AIAN/Wyoming Question about fraudulent enrollments was sent to all NAIC members in Brian Webb's NAIC Health Update - Tuesday, May 20, 2025 (see below).

Please send your responses to Commissioner Rude, Brian Webb, and me as soon as possible, preferably by May 31, 2025.

Thank you!

II. Question from WY & American Indian & Alaska Native Liaison Committee

One of the topics the NAIC/American Indian and Alaska Native Liaison Committee is looking at is the possibly fraudulent recruitment of American Indians and Alaska Natives for enrollment in the ACA. Individuals are recruited and enrolled with fictitious addresses in states where they do not reside. They are then sent off to out-of-state residential treatment. The treatment is billed to the incorrect insurer for payment.

If you have encountered this problem, please let us know, along with any action you may have taken.

Because reservations and tribal nations overlap into states not represented on this Liaison Committee, we would appreciate hearing from any states that have addressed these issues and welcome your questions.

Please respond to:

Commissioner Rude, WY (jeff.rude@wyo.gov)

Lois Alexander, NAIC (lalexander@naic.org)

Brian Webb, NAIC (bwebb@naic.org)

RESPONSES:

- Heather Carpenter (AK):

Alaska has seen multiple forms of ACA enrollment fraud, but the situation described does not appear to be identical to Alaska's experience. In late 2022 and early 2023, we identified 100 Alaska members that were enrolled in the Alaska Individual AI/AN plans that we determined they were not authentic Alaska residents or Alaska Natives. Essentially, the scheme was to enroll out-of-state residents in the Alaska Plan under the AI/AN designation, to allow them to enroll during the Special Enrollment

Period. We have not seen the AI/AN designation approach since the first half of 2023. The AI/AN designations

- Molly Plummer (MT):

We have an internal team investigating the fraudulent enrollments issue in Montana. A meeting with internal staff on this topic is scheduled for May 22, and yes, we will have information to contribute. We would like to know the details of any responses you receive, as the fact patterns may differ slightly.

- Jill Kruger (SD)

In SD, although we have antidotally heard about these types of enrollments from our carriers, we have taken no action against an entity. To date the carriers have worked through the rescission process with CMS.

- Charles Malone (WA)

In response to your request, we have reached out to several contacts within Native communities, including Vicki Lowe of the American Indian Health Commission (AIHC). At this time, they have not encountered any cases involving the misuse of individuals' identities for out-of-state enrollment or reports of community members being compensated to permit the use of their identities for treatment purposes.

We remain committed to monitoring the situation closely and will continue to stay alert to any such activity. Should we become aware of related incidents, we will promptly share updates with the Committee.