Draft Pending Adoption

NAIC/Consumer Liaison Committee
8/12/22

The NAIC/American Indian and Alaska Native Liaison Committee met June 28, 2022. The following Liaison Committee members participated: Troy Downing, Chair (MT); Russell Toal, Vice Chair (NM); Trinidad Navarro represented by Frank Pyle (DE); Dean L. Cameron (ID); Grace Arnold (MN); Mike Causey represented by Tracy Biehn (NC); Jon Godfread (ND); Glen Mulready (OK); Larry D. Deiter represented by Tony Dorschner (SD); Mike Kreidler represented by Todd Dixon (WA); and Jeff Rude (WY). Also participating were: Kate Harris (CO); Molly Plummer and Bob Biskupiak (MT); and Paige Duhamel (NM).

1. **Adopted its Spring National Meeting Minutes**

Commissioner Downing said the Liaison Committee met April 6.

Superintendent Toal made a motion, seconded by Commissioner Mulready, to adopt the Liaison Committee’s April 6 minutes (see NAIC Proceedings – Spring 2022, NAIC/American Indian and Alaska Native Liaison Committee, Attachment One). The motion passed unanimously.

2. **Heard a Presentation on Consumer Outreach and Education Regarding Fraud**

Commissioner Downing said the next item on the agenda is a presentation by Matthew J. Smith, Executive Director of the Coalition Against Insurance Fraud (CAIF) and an NAIC appointed consumer representative, on consumer outreach and education regarding fraud. He said Mr. Smith was meant to give this presentation during the Spring National Meeting, but the Liaison Committee was short on time; therefore, Mr. Smith graciously consented to postponing his presentation until this interim meeting could be arranged.

Mr. Smith said fraud is up by over 400%, with most of it motivated by financial crime causing a pandemic of insurance fraud. He said a study completed by consumer representatives in 2021 was done to determine if there was a system of discrimination and bias. He said the study showed a lack of state insurance regulator engagement, and people were not seeing the outreach to American Indians and Alaska Natives with these groups not receiving the insurance education that was needed. He said only 26% of those responding said they were receiving such information, and the awareness of state insurance departments came in at less than 24%. He said the CAIF wanted to partner with state departments of insurance (DOIs) by providing valuable information to public information officers that could be used for this much-needed outreach. He said the CAIF has 50 customizable videos that it will work with NAIC members to customize, or the CAIF will customize videos for each state by adding insurance department contact information at the end of the videos. He said the CAIF has new customized infographics coming out every six weeks that could be customized free of charge. He said the CAIF could also provide state DOIs with information that could be added to the states’ websites, along with other tools and resources, such as multilingual educational information, training, a searchable database of fraud laws and regulations, and access to antifraud materials dealing with insurance fraud.

Commissioner Downing asked if the CAIF has done any specific outreach targeted to the American Indian and Alaska Native consumer. Mr. Smith said he is sad to say that the CAIF is not yet doing enough to reach this population. Commissioner Downing said more culturally appropriate material is needed. Superintendent Toal
asked if any insurers are targeting vulnerable populations, and he would appreciate the additional materials. Mr. Smith said he has not seen any company or tracking patterns, but he would like to be more culturally engaged. Commissioner Downing said while labeling materials is helpful, it would also be good to collaborate with the CAIF and other state insurance departments. He asked what type of licensing requirements the CAIF offer to state insurance regulators who want to take advantage of CAIF materials. Mr. Smith said there are no additional steps, and all materials are available free of charge with full access to use as much as the state wants. Commissioner Navarro said Delaware has partnered with the CAIF for a few years and has used its materials. He said Delaware put the materials on its own website and took full credit for it. He said the American Indian and Alaska Native community is close knit with not a lot of outside access. Tribal victims of insurance fraud do not come forward because they are ashamed and do not want their family to know about it.

3. **Heard a Presentation on “Maximizing Collaboration Between Health Insurers and Tribal Communities – What Blue Cross and Blue Shield of New Mexico and Blue Cross and Blue Shield of Oklahoma are Doing to Build Partnerships”**

Commissioner Downing said next on the agenda is a presentation by Bonnie Vallo, Community Outreach Specialist and Tribal Liaison of the Blue Cross and Blue Shield of New Mexico (BCBSNM), and Lucinda Myers, Tribal Relations Specialist of the Blue Cross and Blue Shield of Oklahoma (BCBSOK), on what the BCBSNM and the BCBSOK are doing to build partnerships that will maximize the collaboration between health insurers and tribal communities.

Ms. Vallo said this is the second Blue Cross Blue Shield Association (BCBSA) Tribal Markets Workgroup since 2018 focused on how to get more people involved, and the Health Care Service Corporation (HCSC) Tribal Relations Workgroup is focused on bridging communications across tribes, so it is important to be as local as possible through photos that provide a dual role in educating internally and externally. Ms. Myers said Native Americans in Progress is one of nine business resource groups (BRGs) with subject matter experts (SMEs) serving as resources for companies and helping natives progress in business and diversity in Oklahoma, Montana, and New Mexico. She said BRGs identify needs, host donations, and engage in local communities using volunteer time to help with local health issues and needs. She said BRGs also serve as brand ambassadors and engage in business activities with Native American employees. She said best practices for working with Native American populations include: 1) having a common goal; 2) improving the health of citizens; 3) investing in dedicated positions as a tribal liaison to accomplish strategies; 4) because the communities being served are the experts on their issues, listening and engaging them; doing research; and going to tribal websites and social media outlets, especially regarding health; 5) identifying challenges and how resources can help; 6) being open-minded; and 7) providing ongoing support and resources, including food and other personal necessities. Ms. Myers said mobile assistance centers (MACs) provide enrollment specialists and hold enrollment fairs because 60% of their outreach to tribal members in Oklahoma is rural, so Oklahoma has nine Caring Foundation vans under a 501(c) that provide free preventative health services, three of which are staffed by tribal nations, which enhances face-to-face meetings.

Ms. Vallo said it is important for outreach volunteers to be trustworthy, as they provided Medicaid assistance to 1,222 touchpoints in 2022. She said COVID-19 is still a serious concern, so they are still practicing safe distancing via virtual outreach, which has led to higher vaccination numbers. Superintendent Toal said New Mexico is the fifth largest state for tribal challenges. Ms. Vallo said preventative dental care screenings were provided by the BCBSA in vans to 139 kids due to the use of a mascot known as Blue Bear; $40,000 was donated to the COVID-19 Relief Fund; $50,000 was raised for schools; and the goal for Montana in 2022 is to donate $25,000 to this cause. Commissioner Downing thanked Ms. Vallo and Ms. Myers for underlining the issues. He said he likes the phrase, “Remember those you serve are the experts,” and he said Montana does this. He also said later during this meeting, the Liaison Committee members would discuss action plans to create tools for effective communication.
with tribal nations. Superintendent Toal asked the speakers what they perceive to be the biggest challenge. Ms. Vallo said she prefers to call challenges opportunities, which are to make sure to get the education and information out to tribal communities in flexible ways. Ms. Myers said educational PCs with access to the Indian Health Service (HIS) have the perception that the IHS is health insurance; however, it is not. Ms. Duhamel asked if federal Affordable Care Act (ACA) coverage is an opportunity to enroll in tribal community health care as well. Ms. Vallo said the ACA includes benefits of third-party and additional services. Ms. Duhamel asked if that works. Ms. Myers said tribal members unfortunately do not think about the ACA when the IHS is closed or when there is no access to services. Ms. Vallo said partnerships with the IHS and the ACA is the best way to do this.

4. **Heard a Presentation on “New Mexico’s Health Insurance Exchange – American Indian Program”**

Superintendent Toal said it is with great pleasure that he introduces the next agenda presentation, “New Mexico’s Health Insurance Exchange – American Indian Program,” by his friend and colleague, Teresa Gomez, MA, a beWellnm Board member and Board vice chair of the Native American Standing Committee. Ms. Gomez said she is speaking both as an advocate and a consumer as a two times ovarian cancer survivor, but not as an industry person. She said she had employee coverage through her employer and commercial insurance through the IHS to reduce costs for cancer. She said enabling legislation in the form of the New Mexico Health Insurance Exchange Act, which was enacted in 2013, gave Superintendent Toal powers and duties to implement and enforce the provisions in this act. She said the act included Native American specific provisions on diversity; an advisory committee to guide Native American provisions of the ACA; a designated Native American liaison; provisions regarding the consultation of all tribes; a Board of Directors with a Native American Standing Committee that is promoted in its Plan of Operations and in enabling legislation calls for cultural competency training to staff of the exchange; a Native American Service Center with a cabinet-level department and a Native American Advisory Committee. Superintendent Toal encouraged all Liaison Committee members to have a tribal advocate assigned to help their respective DOIs.

5. **Discussed Other Matters**

Commissioner Downing said his office noticed that sovereign nation programs are just starting to be formed in New Mexico and Oklahoma. He asked if any other Liaison Committee members had seen this type of activity in their states, and he said the Liaison Committee would continue to follow the issue.

Commissioner Downing announced the formation of three ad hoc drafting groups that were created with deliverables based on the results of the state insurance regulator and consumer representative surveys about the goals of the Liaison Committee for 2022. He said an ad hoc drafting group consists of no more than four to five members and meets for a limited time to address specific deliverables. He said Drafting Group 1 will create a tool at the NAIC to address cultural awareness and communication, as Montana has found that words matter within tribal communities, such as using the phrase “financial empowerment” rather than “financial literacy,” as well as not saying “Save for yourself” but rather, “Use funds to help tribal members in need.” He said volunteers for this group include himself, Mr. Dixon, and a representative for Superintendent Toal. He said Drafting Group 2 will produce a report identifying problems with access and outreach through the IHS and the ACA. He said Drafting Group 3 will review COVID-19 vaccination access accomplishments to prepare a simple report that is not COVID-19-specific about the lessons learned and what worked that could be used for the next emergency. Superintendent Toal suggested combining Drafting Groups 2 and 3 into one that will include Commissioner Downing, Mr. Dixon, and a person to be nominated by Superintendent Toal.

Having no further business, the NAIC/American Indian and Alaska Native Liaison Committee adjourned.