

**VA Indian Health Service/Tribal Health Program (IHS/THP) Reimbursement Agreements Program
Frequently Asked Questions (FAQ)**

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Question: What accreditation requirements are necessary?

Answer: The Reimbursement Agreement includes certain requirements regarding quality of care. In order to receive reimbursement, each IHS/THP facility must meet Centers for Medicare and Medicaid (CMS) certification and CMS conditions of participation, or must have accreditation through the Joint Commission or Accreditation Association for Ambulatory Health Care (AAAHC). This should be in place prior to entering into an agreement with VA. Upon VA's request, such information must be provided within 15 business days. *Source for information: Reimbursement Agreement Template*

Question: How do VA and THP facilities promote quality care at participating facilities?

Answer: At least annually, VA and IHS/THP facilities agree to use existing medical quality assurance activities, as required under accreditation or certification standards or maintained for reporting. THP agrees to share information with VA regarding its medical quality assurance activities, which shall include periodic review of care utilization (health system level trends) and care delivery consistent with current standards of care and evidence-based practices. *Source for information: Reimbursement Agreement Template*

Question: What is the term of the Reimbursement Agreement (how long is it for)?

Answer: This Agreement remains in effect for a term of one year from the date of signature with the option to extend for additional years in one year increments not to exceed five years with the mutual written agreement of the parties. *Source for information: Reimbursement Agreement Template*

Question: Can THP facilities extend the agreement term for longer than one year?

Answer: Yes. THPs have the option to extend the term of the agreement for additional years in one year increments not to exceed five years with the mutual written agreement of the parties. *Source for information: Reimbursement Agreement Template*

Question: What is the process for renewing or extending the agreement?

Answer: The VA Contracting Officer who signed the agreement will contact the THP prior to the renewal date. If both parties agree to continue with the agreement, both will fill in the renewal letter template provided by the VA Contracting Officer and sign.

Question: Can a THP facility cancel the agreement?

Answer: Yes. Either party may cancel the reimbursement agreement at any time by providing to the signatories (or their authorized representatives) a 60-day written notice of the intent to cancel the Agreement. *Source for information: Reimbursement Agreement Template*

Question: Who is considered an AI/AN Eligible Veteran?

Answer: "Eligible American Indian/Alaska Native (AI/AN) Veteran" means an AI/AN Veteran who is (1) eligible for services from IHS or THP in accordance with 42 C.F.R. Part 136 and (2) meets the definition of "Eligible Veteran" in section 4.6 of the agreement. *Source for information: Reimbursement Agreement Template*

Question: How can an eligible AI/AN Veteran receive reimbursable direct care services without enrolling in VA's Healthcare System?

Answer: Generally, enrollment is required. However, there are some exemptions, which include the following: (1) VA has rated the Veteran with service-connected disability(s) at 50% (or greater);

(2) if the Veteran has a service-connected disability rated at less than 50%, the Veteran can receive medical care only for a service-connected disability; (3) if the Veteran was discharged or released from service for a disability incurred or aggravated in the line of duty, the Veteran will receive medical care for only that disability and only for the 12-month period following discharge or release. *Source for information: 38 C.F.R. 17.37; Enrollment and Eligibility Procedure Guide for VA-IHS and THP Reimbursement Agreements Program.*

Question: **When does a THP facility submit a healthcare claim for reimbursement?**

Answer: VA will reimburse invoices for direct care services provided directly by the IHS/THP facility after the effective date of the Agreement, submitted to VA within 12 months from the date of service. *Source for information: Reimbursement Agreement Template*

Question: **Are co-pays required by the AI/AN Eligible Veteran?**

Answer: No. Under the Agreement, AI/AN Eligible Veterans do not pay a co-pay for eligible services or pharmaceuticals provided at the tribal health facility. *Source for information: Reimbursement Agreement Template*

Question: **Does VA reimburse for any medical service?**

Answer: No. VA will reimburse the THP facility only for direct care services provided in the VA Medical Benefits Package available in accordance with 38 C.F.R. § 17.38 or otherwise available under statute or regulation to Eligible Veterans from VA. VA will not reimburse for any direct care services that are excluded from the Medical Benefits Package or for which the Eligible AI/AN Veteran does not meet qualifying criteria (e.g., the requirement that the Eligible AI/AN Veteran needs the care as determined in accordance with 38 C.F.R. 17.38(b)). "Direct care services" does not include care or services provided by IHS/THP facility through a contract established by IHS/THP (contract care) for a care or service provided outside the IHS/THP facility. *Sources for information: 38 C.F.R. 17.38; Reimbursement Agreement Template*

Question: **Are there medical services explicitly excluded from the reimbursement agreement?**

Answer: Yes. VA will not reimburse for the following: (1) abortions and abortion counseling; (2) in vitro fertilization; (3) drugs, biologicals, and devices not approved by the Food and Drug Administration (although some exceptions apply); (4) gender alterations; (5) hospital and outpatient care for a Veterans who is either a patient or an inmate in an institution of another government agency if that agency has a duty to give the care or services (This exclusion does not apply to Veteran who are released from incarceration in a prison or jail into a temporary housing program, such as a community residential re-entry center or halfway house.); (6) membership in spas and health clubs. *Source for information: 38 C.F.R. 17.38(c)*

Question: **Does VA reimburse for pharmaceuticals?**

Answer: Yes. Under the agreement, the VA will reimburse tribal facilities for prescription drugs dispensed by the THP that are on the VA formulary. *Source for information: Reimbursement Agreement Template*

Question: **Does VA reimburse for eyeglasses?**

Answer: It depends upon the circumstances. The VA will reimburse THP facilities for eyeglasses only to eligible Veterans otherwise receiving VA direct care or services and the Veteran must also meet at least one of the following requirements: (1) Those with a compensable service-connected disability; (2) Those who are former prisoners of war; (3) Those awarded a Purple Heart; (4) Those in receipt of benefits under [38 U.S.C. 1151](#); (5) Those in receipt of increased pension based on the need for regular aid and attendance or by reason of being permanently housebound; (6) Those who have a visual or hearing impairment that resulted from the

existence of another medical condition for which the veteran is receiving VA care, or which resulted from treatment of that medical condition; (7) Those with a significant functional or cognitive impairment evidenced by deficiencies in activities of daily living, but not including normally occurring visual or hearing impairments; and (8) Those visually or hearing impaired so severely that the provision of eyeglasses is necessary to permit active participation in their own medical treatment. *Source for information: 38 C.F.R. 17.38, 17.149*

Question: Are there any services that have restricted eligibility requirements?

Answer: Yes. VA recommends that THP facility staff request to verify the eligibility of AI/AN Veterans since there are restricted eligibility requirements for these services: dental, prosthetics, hearing aids, eyeglasses, long-term care, and nursing home care and transplant services.

Question: Are there any requirements for third-party billing?

Answer: Yes. Before seeking reimbursement from VA for direct care services provided to an Eligible AI/AN Veteran under this agreement, payment must be made from all other liable payers. VA is responsible for only the balance remaining after other third party reimbursements. Further, VA must be provided with any applicable information regarding the Eligible AI/AN Veterans' private insurance, Workers' Compensation coverage, Medicare Supplemental Insurance information, and information with respect to third-party tort feason cases arising under the Federal Medical Care Recovery Act ("FMCRA"). *Sources for information: 42 U.S.C. § 2651; Tribal Health Programs Provider Orientation; Reimbursement Agreement Template*

Question: Will a THP facility receive reimbursement if the THP facility refers a Veteran to another facility?

Answer: No, reimbursement is only given for eligible direct care services provided at the THP facility. *Source for information: Reimbursement Agreement Template*

Question: What is the Veteran care coordination process?

Answer: Each THP/IHS facility will work directly with their local VAMC identified in the implementation plan to develop a plan to coordinate quality care for Veterans. *Source for information: Reimbursement Agreement Template*

Question: What is the process for viewing medical records or exchanging Veteran information between the THP/IHS facility and the VA?

Answer: Each THP/IHS facility will work directly with their local VAMC identified in the implementation plan to develop a process to exchange patient records consistent with relevant privacy laws. *Source for information: Reimbursement Agreement Template*

Question: What is the Implementation Plan?

Answer: The implementation plan is a communication tool used to exchange information between the IHS/THP facility and the VA. It includes information such as healthcare services offered to AI/AN Veterans and points of contact for both the IHS/THP facility and the VA.

Question: Who can answer questions about enrollment and eligibility?

Answer: You can contact VA Health Eligibility Center (HEC) Monday through Friday, 7:00 a.m. to 5:30 p.m. (Eastern Time). The direct line is 1-855-488-8441.

Question: Who can answer other questions about the program?

Answer: You can email tribal.agreements@va.gov. A member of the VA-IHS/THP Reimbursement Agreements Team will return your email within two business days.

Question: **Is there a contact person for my region?**

Answer: For facilities with signed agreements, see page 6 of your Implementation Plan for your local VAMC point of contact. For facilities interested in agreements, you may search for the nearest VAMC at [<http://vaww.va.gov/directory/guide/home.asp?isFlash=1>]. Or, as always, you may send an email to tribal.agreements@va.gov.