

[NCUIH Submits Comments to CMS, HHS OIG](#)

Category: Policy Blog

written by NCUIH | January 8, 2020

On December 31, NCUIH submitted two sets of comments to the Centers for Medicare & Medicaid Services (CMS) and Department of Health & Human Services Office of the Inspector General (OIG), respectively.

NCUIH's [first comment letter](#) was submitted pursuant to CMS's request for information on the [Medicare Program: Modernizing and Clarifying the Physician Self-Referral Regulations](#). In the comments, NCUIH strongly encouraged CMS to create new exceptions to the physician self-referral law that are consistent with the trust responsibility to AI/ANs.

The [second comments](#) were on OIG's proposed rule, [Medicare and State Healthcare Programs: Fraud and Abuse; Revisions to Safe Harbors Under the Anti-Kickback Statute, and Civil Monetary Penalty Rules Regarding Beneficiary Inducements](#). In the comments, NCUIH noted, among other things, the importance of care coordination agreements to the I/T/U system and opposed modifications that would effectively make the safe harbor completely unavailable to I/T/U facilities. The OIG proposed modifications to the existing safe harbor for local transportation. In general, transportation is a major challenge for Indian Country, tribes, and AI/AN people no matter where they reside. For Indian health care providers and their AI/AN patients, transportation poses a significant barrier to health care access. NCUIH commented on the proposed increase in the mileage limit and encouraged OIG to eliminate the mileage limit for Indian health programs altogether - or to further expand the limit for our health programs. You can also find a copy of the comments submitted by the CMS Tribal Technical Advisory Group [here](#).