

118TH CONGRESS
1ST SESSION

H. R. 2376

To amend the Indian Health Care Improvement Act and title 5 of the United States Code to facilitate participation in Federal benefits programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 29, 2023

Mr. GRIJALVA (for himself, Ms. MOORE of Wisconsin, Ms. STANSBURY, and Ms. PORTER) introduced the following bill; which was referred to the Committee on Oversight and Accountability, and in addition to the Committees on Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Indian Health Care Improvement Act and title 5 of the United States Code to facilitate participation in Federal benefits programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. AMENDMENTS TO INDIAN HEALTH CARE IM-**
4 **PROVEMENT ACT.**

5 Section 409 of the Indian Health Care Improvement
6 Act (25 U.S.C. 1647b) is amended—

1 (1) by striking “or an urban Indian organiza-
2 tion carrying out programs under title V of this
3 Act” and inserting “, an urban Indian organization
4 carrying out programs under title V of this Act, or
5 a Tribal College or University as defined in section
6 316(b)(3) of the Higher Education Act of 1965 (20
7 U.S.C. 1059c(b)(3)),”;

8 (2) by striking “or urban Indian organization,
9 under chapter 89” and inserting “, urban Indian or-
10 ganization, or Tribal College or University, under
11 chapter 89”;

12 (3) by striking “or urban Indian organization,
13 are currently deposited” and inserting “, urban In-
14 dian organization, or Tribal College or University,
15 are currently deposited” ; and

16 (4) by adding at the end the following: “In ad-
17 dition, employees of such Indian tribe, tribal organi-
18 zation, urban Indian organization, or Tribal College
19 or University shall be entitled to purchase coverage,
20 rights, and benefits under chapters 89A and 89B of
21 such title if the Indian tribe, tribal organization,
22 urban Indian organization, or Tribal College or Uni-
23 versity determines that the employee is eligible, and
24 the necessary employee deductions or direct payment
25 for the coverage, rights, and benefits for the period

1 of employment with such Indian tribe or tribal orga-
2 nization, urban Indian organization, or Tribal Col-
3 lege or University are currently deposited in accord-
4 ance with requirements under such chapters.”

5 **SEC. 2. TRIBAL INSURANCE ADMINISTRATIVE ACCOUNT.**

6 Section 8909 of title 5, United States Code, is
7 amended by adding at the end the following:

8 “(h) TRIBAL INSURANCE ADMINISTRATIVE AC-
9 COUNT.—

10 “(1)(A) There is established in the Fund a
11 Tribal Insurance Administrative Account (in this
12 subsection referred to as the ‘Account’). The admin-
13 istrative fee charged to each tribal employer that
14 purchases coverage, rights, and benefits for its em-
15 ployees under section 409 of the Indian Health Im-
16 provement Act (25 U.S.C. 1647b) shall be collected
17 by the Office of Personnel Management, or other en-
18 tity as authorized by the Director of the Office, for
19 the administration of the Tribal FEHB Program.
20 All such fees collected shall be paid into the Ac-
21 count.

22 “(B) The administrative fee under subpara-
23 graph (A) shall be determined annually by the Office
24 and shall be charged in addition to any premium for

1 each enrollment of a tribal employee. The adminis-
2 trative fee—

3 “(i) shall be a percentage, as determined
4 by the Office, of the weighted average monthly
5 premium calculated with consideration to all
6 plans and options and the total number of en-
7 rollees enrolled in all plans and options; and

8 “(ii) shall not exceed 3 percent of the ap-
9 plicable average monthly premium.

10 “(2) The Account shall be available to the Of-
11 fice, without fiscal year limitation, for reasonable ex-
12 penses incurred by the Office for the administration
13 of the Tribal FEHB Program.”.

○