



OCT 20 2017

Indian Health Service
Rockville, MD 20857

Mr. Nicholas Barton
Chairman
c/o Direct Service Tribes Advisory Committee
P.O. Box 167
Concho, OK 73022

Dear Chairman Barton:

Thank you and Chairwoman Lynn Malerba for your jointly signed, September 14-dated letter on behalf of your respective committees, which shares concerns about insurers and other third-parties underpaying reimbursements to Indian Health Service (IHS), Tribal, and Urban Indian (I/T/U) health care facilities.

We are continuing to provide updates and other information on these challenging issues to the Department of Health and Human Services. The Department reached out to CVS/Caremark, one of the larger pharmacy benefit managers, and initiated discussions about these issues with representatives from CVS/Caremark's headquarters. CVS/Caremark generally indicated an interest in resolving payment issues, but additional conversations were needed to help CVS/Caremark understand the statutory right to recovery under 25 U.S.C. 1621e.

During the first week of October, CVS/Caremark informed the IHS that it would like to discuss the necessary logistics to ensure that payment is being made in accordance with 25 U.S.C. 1621e. CVS/Caremark also verbally agreed to identify an internal point-of-contact for Tribes and Tribal Organizations operating under an Indian Self-Determination and Education Assistance Act (ISDEAA), Public Law No. 93-638, agreement with the IHS, in the event a particular Tribe or Tribal Organization would like to discuss a different claims submission process with CVS/Caremark.

The IHS believes that great progress has been made and anticipates sending a Tribal Leader Letter and Urban Indian Leader Letter next month to outline the process that the IHS plans to follow to address these issues, and to provide contact information for an individual designated by CVS/Caremark.

I trust this update is helpful. A similar letter is being sent to Chairwoman Malerba.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Weahkee".

RADM Michael D. Weahkee, MBA, MHSA
Assistant Surgeon General, U.S. Public Health Service
Acting Director