



**Office of  
Personnel Management**  
*The Federal Government's Human Resources Agency*

***Tribal Benefits Administration Letter***

**Number:** 14-608

**Date:** November 20, 2014

**Subject:** Revised policy in reference to tribal employer participation in the Federal Employees Health Benefits (FEHB) Program

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Purpose

The purpose of this Tribal Benefits Administration Letter (TBAL) is to notify you that the Office of Personnel Management (OPM) has revised the “all or nothing” policy related to tribal employer participation to permit a tribal employer to enroll one or more billing units, rather than all billing units.

Background

Previously, OPM’s policy required that a tribe, tribal organization, or urban Indian organization (tribal employer) could only participate in the FEHB Program if they purchased FEHB coverage for all of the tribal employer’s common law tribal employees, under all of the tribal employer’s lines of business.

New Policy

- A tribal employer carrying out programs under the Indian Self-Determination and Education Assistance Act (ISDEAA) or Title V of the Indian Health Care Improvement Act (IHCIA) may enroll one or more billing units carrying out programs or activities under their ISDEAA or IHCIA contract, compact, grant, or funding agreement.
- Once a tribal employer has enrolled at least one billing unit carrying out programs or activities under an ISDEAA or IHCIA contract, compact, grant, or funding agreement in the FEHB Program, the tribal employer may enroll one or more billing units that are not carrying out programs or activities under the tribal employer’s ISDEAA or IHCIA contract, compact, grant, or funding agreement.

- A billing unit that is part of a tribe, tribal organization, or urban Indian organization and that has its own ISDEAA or IHCIA contract, compact, grant, or funding agreement may participate in the FEHB Program in its own right and enroll the tribal employees of the billing unit in the FEHB Program, whether or not its parent tribe, tribal organization, or urban Indian organization participates in the FEHB Program. A billing unit enrolling under this paragraph may not enroll any additional billing units of the tribe, tribal organization, or urban Indian organization in the FEHB Program.

#### Offer of Coverage

- A participating tribal employer must offer FEHB coverage to all common law tribal employees of each billing unit the tribal employer chooses to enroll in the FEHB Program.

#### Questions

Should you have any questions, please contact the OPM Tribal Desk at 202-606-2530 or [tribalprograms@opm.gov](mailto:tribalprograms@opm.gov).

Sincerely,

John O'Brien  
Director  
Healthcare and Insurance