

FACT SHEET

New Flexibility for Tribal Employer Participation in the FEHB Program

OPM is making it easier for tribal employers to enroll their employees in the Federal Employees Health Benefits (FEHB) Program. Under existing rules, a tribal employer could only participate in the FEHB Program if the employer purchased FEHB coverage for all of the tribal employer's employees under all of the employer's business units, such as casinos, resorts, schools, and other companies. OPM will now provide more flexibility to tribal employers, so that they can choose FEHB coverage for one or more business units.

Tribes or tribal organizations carrying out programs under the Indian Self-Determination and Education Assistance Act (ISDEAA) and urban Indian organizations carrying out programs under Title V of the Indian Health Care Improvement Act (IHCIA) are entitled to purchase FEHB coverage for their employees.

The new flexibility gives tribal employers more options:

- A tribal employer may enroll one or more business units carrying out programs or activities under ISDEAA or IHCIA.
- Once a tribal employer has enrolled at least one business unit carrying out programs or activities under ISDEAA or IHCIA in the FEHB Program, the tribal employer may enroll one or more business units that are not carrying out these programs or activities.
- A business unit that is part of a tribe, tribal organization, or urban Indian organization and that has its own ISDEAA or IHCIA contract may participate in the FEHB Program in its own right and enroll the tribal employees of the business unit in the FEHB Program, whether or not its parent tribe, tribal organization, or urban Indian organization participates in the FEHB Program. A business unit with its own ISDEAA or IHCIA contract may not enroll any other business units of the tribe, tribal organization, or urban Indian organization in the FEHB Program.
- A participating tribal employer must offer FEHB coverage to all tribal employees of each business unit the tribal employer chooses to enroll in the FEHB Program.

This new policy takes effect as of November 20, 2014.

Comments or questions should be directed to the OPM Tribal Desk at 202-606-2530 or tribalprograms@opm.gov.