

# Indian Health Service

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## I am part Indian. Am I eligible for health benefits from the Indian Health Service?

Yes, if one or more of these is true:

- You are regarded by the community where you live as an Indian OR Alaska Native
- You are a member, enrolled or otherwise, of an Indian or Alaska Native Tribe or Group under Federal supervision
- You live on tax-exempt land or own restricted property
- You actively participate in tribal affairs
- You have any other reasonable factor indicative of Indian descent
- You are an Indian of Canadian or Mexican origin, recognized by any Indian tribe or group as a member of an Indian community served by the Indian Health program
- You are a non-Indian woman pregnant with an eligible Indian's child for the duration of your pregnancy through post-partum (usually six weeks)
- You are a non-Indian member of an eligible Indian's household and the medical officer in charge determines services are necessary to control a public health hazard

[CFR 42 § 136.12.](#)

## What is a federally recognized tribe?

It is an American Indian or Alaska Native tribe that

- has a government-to-government relationship with the U.S.
- has the responsibilities, powers, limitations, and obligations that come with being federally recognized
- is eligible for funding and services from the HIS and BIA

## Where can I get an application for health care benefits?

Go to the patient registration office of your local IHS facility. You must bring proof of enrollment as a member of a federally recognized tribe.

## Where is the closest IHS health care facility?

Use the [IHS Find Health Care website](http://tinyurl.com/q42vse8) (<http://tinyurl.com/q42vse8>) to find the facility closest to you.

## I used to get my health care at an IHS facility on my reservation. I now live in a city far from home. Where can I get health care now?

There are a few urban Indian health care facilities in cities throughout the U.S. Check the [Urban Indian Health Program](http://www.ihs.gov/urban/) (<http://www.ihs.gov/urban/>) listing to see if there is one near you.

## I am eligible for health care from the IHS. Why won't the local IHS office provide or pay for what I need?

It depends.

IHS facilities can only provide [direct services](#). (A list of these services is available at <http://tinyurl.com/owzwpfv>.) Non-IHS facilities/providers can sometimes provide Contract Health Services (CHS), which are services the IHS **cannot** provide in its own facilities.

**The IHS does not always have funds to cover all Contract Health Services.** Under federal regulations, the IHS is the payer of last resort for these services. IHS expects you to use alternate sources first to cover these services. Alternate sources can include

- Medicaid
- Medicare
- Private insurance
- Charity Care

[42 CFR § 136.61](#).

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❖ IHS' highest priority for paying for CHS services is life-threatening illnesses and injuries.

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## The IHS decided not to cover contract health services that I need. Can I appeal?

**Yes.** You will get a written notice of the denial and the reason for it. The notice should state that within 30 days of getting the notice, you:

- May ask the appropriate Service Unit Director to reconsider the original

denial if you submit new supporting information OR

- If you have no new information, may appeal the Service Unit Director's original denial to the appropriate Area or program director

Your request for reconsideration or appeal must

- be written
- explain the grounds for your request or appeal, and the facts supporting it

If the Service Unit Director upholds the original decision on reconsideration, you will get written notice that you can appeal to the Area or program director within 30 days of getting the notice. You must appeal in writing and explain your grounds.

If the Area or program director upholds the original or reconsidered decision on appeal, you will get written notice. The notice should also state you have the right to further appeal to the Director, Indian Health Service, within 30 days of getting the notice. You must appeal in writing and explain your grounds. The Director, Indian Health Service's decision will be the final administrative action on your appeals.

[24 CFR §136.25](#).

## Do I have to get my prescriptions filled though an IHS pharmacy?

**Usually, no.** There are a few exceptions to this. Talk to your provider.

## **How do I file a complaint, ask for more information, report a problem and/or that my privacy rights have been violated?**

You can file a written complaint with

- the Chief Executive Officer or Service Unit Privacy official at your health care facility OR

- the Secretary, Health & Human Services (HHS), Washington DC 20201 by going to this link:  
<http://www.hhs.gov/ocr/hipaa/>

## **How do I trace my American Indian/Alaska Native ancestry?**

Start by downloading the [Guide to Tracing Your American Indian Ancestry](#), available at <http://tinyurl.com/ptlb8f4>.

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This publication provides general information concerning your rights and responsibilities. It is not intended as a substitute for specific legal advice.

This information is current as of August 2015.

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