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Arizona Department of Insurance
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Douglas A. Ducey, Governor
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TRIBAL CONSULTATION POLICY ANNUAL REPORT for July 1, 2017 to June 30, 2018

Arizona Department of Insurance Mission Statement:
"To protect Arizona citizens and business by promoting a safe, strong, innovative and competitive insurance marketplace."

AGENCY OVERVIEW

The Arizona Department of Insurance (ADOI) regulates the insurance industry and persons engaged in the transaction of insurance in Arizona. The agency's primary responsibilities include licensing individuals and entities transacting business in Arizona, monitoring and promoting the financial safety and soundness of insurance companies and assisting consumers with insurance-related questions and problems.

TRIBAL GOVERNMENT CONSULTATION POLICY

Arizona-licensed insurers and insurance producers may transact business on tribal lands, and members of Arizona tribal communities may purchase and subscribe to insurance products and services, both on and off tribal lands. Consequently, the ADOI occasionally receives questions concerning the sale of insurance in tribal communities or involving claims arising out of incidents on tribal lands. When investigation cases involve evidence on tribal lands, the ADOI's Fraud Unit and Administrative Enforcement Section seek assistance from tribal authorities to conduct investigation activities and obtain evidence on tribal lands.

TRIBAL LAISION

A tribal liaison was created within the Department in accordance with A.R.S. 41-2051 Section C to communicate with the 22 Tribal Nations on issues of mutual concern.

TRIAL CONSULTATION ACTIVITIES

GOAL	OBJECTIVE	ACTIVITY AND PERFORMANCE MEASURES
Ensure that matters that are appropriately within a tribe's jurisdiction are promptly referred to the tribe.	Conduct communications within the Department to ensure consistent application with the Department's Tribal Consultation Policy.	As new issues arise, employees within the impacted divisions are trained to ensure that they are providing consistent responses and that each issue is dealt with in a consistent manner.

GOAL	OBJECTIVE	ACTIVITY AND PERFORMANCE MEASURES
Enforce insurance provisions requiring health insurance plans offered through the federal Health Insurance Exchange to include additional enrollment opportunities for Native Americans.	Review policy forms to ensure that the policy eliminates any cost share for co-payments, co-insurance and deductibles for eligible Native Americans and that the forms do not prohibit Native Americans from changing plans on a monthly basis.	The Market Oversight Division Life and Health Section reviewed all policy forms marketed through the Exchange. None of the forms reviewed was found to be out of compliance with the law. Compliance criteria on the ADOI's filing checklist requires insurers submitting new form filings to attest that its forms are in compliance with these requirements.
Seek assistance of tribal police in order to conduct fraud and administrative enforcement investigation activities and obtain evidence on tribal lands.	Work with tribal authorities in areas of mutual concern.	There were no fraud or administrative investigative cases during this fiscal year that required assistance from a tribal police agency.

CHALLENGES IN PROVIDING SERVICES TO TRIBES

Staff encountered no challenge in providing services to tribes and/or tribal community members:

LEGISLATION IMPACTING TRIBES OR TRIBAL COMMUNITY MEMBERS

Laws 2018, Chapter 158 (SB1112): Insurance; Surplus Lines; Exemption Amends A.R.S. § 20-420 to clarify that federally recognized Indian tribes and tribal members are exempt from state surplus lines insurance laws if the subjects of insurance are located in, reside in or are to be performed wholly within the boundaries of a federally recognized Indian reservation.

For questions or more information, please contact the Arizona Department of Insurance Tribal Liaison:

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