



**Office of the Director
Arizona Department of Insurance**

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**Douglas A. Ducey, Governor
Leslie R. Hess, Interim Director**

TRIBAL CONSULTATION POLICY¹

May 11, 2017

PURPOSE

This policy describes the Arizona Department of Insurance (ADOI) policy relating to its consultation and cooperation with tribal governments in the State of Arizona, pursuant to Arizona State Governor *Executive Order 2006-14: Consultation and Cooperation with Arizona Tribes*.

INTRODUCTION

The ADOI's mission is to faithfully execute the state insurance laws in a manner that protects insurance consumers and encourages economic development.

The ADOI regulates the insurance industry and persons engaged in the transaction of insurance in Arizona pursuant to Arizona Revised Statutes, §§ 20-101 through 20-3324 and Arizona Administrative Code R-20-6-101 through R20-6-2305. 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.

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.

POLICY

1. The ADOI shall continuously welcome the opportunity to enhance intergovernmental relations and provide increased access to services for all citizens of Arizona.
2. The ADOI shall recognize and respect the sovereignty of Arizona's 22 tribal governments.

¹ This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the Agency, and does not impose additional requirements or penalties on regulated parties or include confidential information. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties, you may petition the agency under A.R.S. § 41-1033 for a review of the statement.

3. ADOI employees and contractors shall recognize that the ADOI's regulatory authority does not extend into tribal communities. The ADOI shall ensure that matters that are appropriately within a tribe's jurisdiction are promptly referred to the tribe. In the event an inquiry or complaint involves an insurance transaction within the tribe's jurisdiction, the ADOI may provide notice to the tribal government and may redirect the affected parties to the tribal government for assistance and resolution.
4. The ADOI shall enforce insurance provisions requiring health insurance plans offered through the federal Health Insurance Exchange to include additional enrollment opportunities for Native Americans.
5. The ADOI's Fraud Unit, staffed with Arizona-certified peace officers, and the ADOI's Administrative Enforcement Unit shall continue to seek assistance of tribal police in order to conduct investigation activities and obtain evidence on tribal lands.

RESPONSIBILITY

The ADOI Ombudsman, Catherine O'Neil, is responsible for monitoring ADOI's compliance with this policy, and is ADOI's principal point of contact for tribal issues. Any person with questions regarding this Tribal Consultation Policy may contact Ms. O'Neil at coneil@azinsurance.gov, or (602) 364-2485.

Leslie Hess
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