



## **SOUTHERN PLAINS TRIBAL HEALTH BOARD**

*Serving Tribes and Indian Organizations throughout Kansas, Oklahoma, and Texas since 1972*

### **RESOLUTION NO. 2016- 3**

**PURPOSE: A RESOLUTION SUPPORTING PRESERVATION OF THE INDIAN HEALTH CARE IMPROVEMENT ACT AND SPECIFIC INDIAN HEALTH PROVISIONS, AS WELL AS MAINTAINING FEDERAL RESPONSIBILITY FOR HEALTH CARE SERVICES**

**WHEREAS**, the Southern Plains Tribal Health Board (SPTHB) since 1972 serves as a unified voice for health related interests of 43 federally recognized tribes situated in the Oklahoma City Area Indian Health Service region encompassing the states of Kansas, Oklahoma and a portion of Texas.

**WHEREAS**, the SPTHB recognizes that American Indian people suffer greater health disparities than others living in Oklahoma. The top leading causes of death among Indians in Oklahoma are heart disease, cancer, unintentional injuries and diabetes.

**WHEREAS**, the historic allocations of resources appropriated to all Indian health systems have created a disparity and underfunding for the Oklahoma Area compared to all other Areas in the United States. The Oklahoma Area has been in the bottom 25% of all Indian Health Areas and consistently rates as one of the lowest funded Areas within the IHS system.

**WHEREAS**, the Indian Health Care Improvement Act (IHCIA) provides the primary legislative authority for the Indian health system, including those health services operated by IHS, Tribal and Urban Indian (I/T/U) providers. The IHCIA was permanently reauthorized in 2010 as part of the Patient Protection and Affordable Care Act (ACA) (Section 10221) in an effort to pass this long-stalled legislation; and

**WHEREAS**, the IHCIA is the cornerstone legislation which provides healthcare services for AI/ANs in fulfillment of the federal government's trust responsibility for health care that is derived from treaties, statutes, and executive orders; and

**WHEREAS**, the IHCIA was, and continues to be a bipartisan enactment unrelated to the rest of the ACA and it is imperative that it be preserved in any efforts to repeal or reform the ACA; and

**WHEREAS**, additional, specific, Indian health services protections in the ACA outside of the IHCA that are not related to the national debate regarding health care reform include:

- Section 2901**, which states that any I/T/U be the payer of last resort for services provided notwithstanding any Federal, State, or local law to the contrary;
- Section 2902**, which grants I/T/U providers permanent authority to collect reimbursements for all Medicare Part B services;
- Section 9021**, which ensures that any health benefits provided by a Tribe to its members are not included as taxable income; and

**WHEREAS**, these Indian-specific provisions are integral to the effective performance of the Indian health system and must be preserved; and

**WHEREAS**, under current federal law that has been in place since 1976, the federal government reimburses States for 100 percent of the cost of providing Medicaid services to AI/ANs; and

**WHEREAS**, provision of health care services to AI/AN is a federal trust responsibility, and any plan to change the manner in which State Medicaid costs are reimbursed by the federal government must exclude services provided to AI/ANs to ensure that this federal government obligation is not transferred to the States.

**THEREFORE BE IT RESOLVED**, that the preservation of the Indian Health Care Improvement Act and specific Indian health provisions, as well as maintaining Federal responsibility for health care services is must be preserved; and

**BE IT FINALLY RESOLVED**, that the SPTHB supports the preservation of the Indian Health Care Improvement Act and specific Indian health provisions, as well as maintaining Federal responsibility for health care services.

### **CERTIFICATION**

Voted on and affirmed this day 17 of January, 2017 with the following voting FOR: 7 and AGAINST: 0 and ABSTAIN: 0.

ATTESTED BY:

Mrs. Marty Wafford	1-17-17
Chair	Date
Mrs. Teresa Jackson	1-17-17
Vice-Chair	Date
Mr. Nicolas Barton	1-17-17
Secretary	Date
Mrs. Lisa Pivec	1-17-17
Treasurer	Date