



2013 LEGISLATIVE & POLICY AGENDA

March 5, 2013

Founded by the Tribes in 1972, the National Indian Health Board (NIHB) is dedicated to advocating for the improvement in the delivery of health care and public health services and programs to American Indians and Alaska Natives. To advance the organization's mission, the NIHB Board of Directors sets forth the following priorities that the NIHB will pursue at the national level through its legislative and regulatory work in 2013.

2013 LEGISLATIVE PRIORITIES

Secure Increased Funding for Health Services and Programs for American Indians and Alaska Natives in both Indian Health Service (IHS) and Beyond

Each year, the National Tribal Budget Formulation Workgroup to the Indian Health Service (IHS) diligently works to synthesize the priorities identified by the Tribes in each of the health care delivery Areas of the IHS into a cohesive message outlining Tribal funding priorities nationally. These Tribal priorities are the foundation and roadmap for the work that NIHB does on behalf of Tribes in the pursuit of needed funding for health care services and programs for American Indians and Alaska Natives. In addition to advocating for these national tribal priorities, NIHB will call on lawmakers to:

- Seek permanent protection of IHS funding from sequestration, rescissions and across the board cuts.
- Support the requested \$40 million for the Substance Abuse and Mental Health Services Administration's Behavioral Health – Tribal Prevention Grants.
- Support the increased funding of Contract Health Services and Contract Support Costs.
- Request sufficient and timely funding for facilities (Staffing Packages, funding process for facilities construction).

Seek Legislative Solutions to Direct Funding for Health Care Services and Programs to Tribes and Advance IHS Appropriations

- Seek advance funding of IHS Appropriations.
- Remedy block grant funding streams to funding directly to the Tribes

Increase Attention and Support for Behavioral and Mental Health Services and Programs

There is an overwhelming need for behavioral and mental health services in Indian Country. Legislation and programs focused in this area will make major strides toward addressing the chronic behavioral issues throughout Indian Country. The NIHB is committed to addressing this serious issue by:

- Seeking the continuation of the Methamphetamine and Suicide Prevention Initiative.
- Supporting the Reauthorization of Garrett Lee Smith Memorial Act.

Seek the Reauthorization of the Special Diabetes Program for Indians

In 1997, Congress created the Special Diabetes Program for Indians (SDPI) to address the disproportionate burden of type 2 diabetes on American Indian and Alaska Native populations. Funding for SDPI is set to expire September 30, 2014. To ensure that this program does not

experience a disruption in funding, NIHB is asking Congress to introduce and enact legislation this year to authorize this program for 5 years at \$200 million per year.

Ensure That Individual Indians Currently Receiving Indian Health Services Continue to Receive All the Benefits in the Implementation of the Affordable Care Act by Seeking a Uniform Definition of Indian.

Without an uniform and clear definition of Indian, those implementing the law may mistakenly deny the specific benefits and protections to many entitled individuals. We recommend that CMS Regulation, 42, C.F.R Sec. 447.50, is relied upon in order to permit a uniform application across Medicaid, state and federal insurance marketplaces and exemption from the AI/AN tax penalty for not maintaining minimum essential coverage.

2013 POLICY PRIORITIES

Support the Implementation of the Affordable Care Act (ACA) and Ensure Indian People and the Indian Health Delivery System Benefit from the ACA.

The ACA provides a wealth of new resources and opportunities. The NIHB will work to ensure that the implementation of the ACA (i) protects Indian people and the Indian health delivery system, and (ii) ensures individual Indians and the Indian health care delivery system enjoy the benefits offered by the ACA by calling on policymakers to:

- Include Indian health care providers as part of the health plan provider networks offered through Health Insurance Marketplace.
- Require health plans offered through the Health Insurance Marketplace to use an Indian Addendum with Indian health care providers to facilitate the application of Indian specific provisions of key Federal laws.
- Facilitate Tribes and Tribal organizations in becoming financial sponsors for individual Indians by requiring each Health Insurance Marketplace to permit Tribal entities to pay for unsubsidized portion of premiums.

In addition, NIHB will continue to:

- Support the work of tribal advisory committees such as the Tribal Technical Advisory Group to the Centers for Medicare and Medicaid Services (TTAG) and Medicare, Medicaid and Health Reform Policy Committee (MMPC) through technical expertise and committee support.
- Participate in responding to proposed regulations and produce the NIHB Regulation Review and Impact Analysis Report (RRIAR).

Preserve the Permanent Reauthorization of the Indian Health Care Improvement Act and Promote Tribal Priorities in the Implementation of this Act

The Indian Health Care Improvement Act (IHCIA) is the key statutory authority for the delivery of health care to American Indians and Alaska Natives, which was reauthorized permanently as part of the enactment of the ACA in 2010. The NIHB will continue to advocate and support the IHCIA in all arenas and promote the tribal perspectives in the implementation of the IHCIA.

Upholding Tribal Consultation by Providing Technical Support to Tribes and Advising Federal Agencies on the Government To Government Relationship

Tribal consultation is an essential, foundational element of the unique government-to-government relationship between Tribes and the Federal government. A commitment to honoring this relationship was reiterated through the Presidential Memorandum issued on November 5, 2009. The strength of this relationship affects what and how federal policies are implemented. The NIHB strives to ensure consultation with Tribes is honored and to provide support to Tribes in presenting the tribal position in consultation.