



# NPAIHB POLICY BRIEF

## INDIAN HEALTH LEGISLATION IN 110<sup>TH</sup> CONGRESS

PREPARED BY: NORTHWEST PORTLAND AREA INDIAN HEALTH BOARD

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### **Update on Indian Health Legislation in the 110<sup>th</sup> Congress**

#### Indian Health Care Improvement Act (H.R. 1328, S. 1200)

Once again, both the House and Senate have bills pending to reauthorize the Indian Health Care Improvement Act (IHCA) in this 110<sup>th</sup> Congress. The House bill (H.R. 1328) is sponsored by Rep. Frank Pallone (NJ) and has 42 cosponsors that include Northwest members: Jay Inslee, David Wu, and Greg Walden. The Senate bill (S. 1200) is sponsored by the Committee on Indian Affairs Chairman Byron Dorgan (ND) and has 16 co-sponsors that include Senators Maria Cantwell and Patty Murray from Washington.

On March 14<sup>th</sup>, the House Resources Committee held a hearing on H.R. 1328 with mark conducted on April 25<sup>th</sup>. The House Resources Committee favorably reported H.R. 1328 out of committee with a commitment from Chairman Rahall to continue to work the National Steering Committee and Representative Inslee on health facilities construction language that is a concern for Northwest Tribes. Rep. Inslee did offer an amendment to revise facilities construction language at Section 301, however after the Chairman and other members offered to continue to work on this issue until a favorable outcome is reached, Rep. Inslee then withdrew the amendment. The bill's sponsor, Rep. Pallone, also serves at the Chair of the Health Committee for the Energy and Commerce Committee who indicated he would work to hold a hearing sometime the April recess.

On May 10<sup>th</sup>, the Senate Committee on Indian Affairs (SCIA) held its mark-up on S. 1200 which was reported out favorably without any amendments. Prior to going into the mark-up, there were six to seven amendments that might have had a negative impact on the bill. Several of the amendments would have been a regression from current law, which would not have been supported by the IHCA National Steering Committee (NSC). Like Rep. Inslee, Senator Smith did offer an amendment to revise language at Section 301 of the bill, however upon securing a commitment from the Chairman and Ranking Minority members withdrew the amendment. The Senate bill now moves onto the Finance Committee for review.

#### Helping Fill the Medicare Rx Gap Act of 2007 (S. 1103)

S. 1103 was introduced by Sen. Jeff Bingaman (NM) to amend title XVIII of the Social Security Act to include costs incurred by the Indian Health Service (IHS), a Federally qualified health center, an AIDS drug assistance program, certain hospitals, or a pharmaceutical manufacturer patient assistance program in providing prescription drugs toward the annual out of pocket

threshold under part D of the Medicare program. The bill was referred to the Senate Finance Committee on April 12, 2007.

#### Children's Dental Health Improvement Act of 2007 (S. 739, H.R. 1781)

Amends title V (Maternal and Child Health Services) of the Social Security Act to direct the Secretary of Health and Human Services to award grants to states to improve dental services to children enrolled in Medicaid or the State Children's Health Insurance Program (SCHIP) and the Indian Health Service (IHS). The bill would also authorize retention bonuses for eligible dental officers working for IHS and tribally operated programs. The proposed bill would revise the eligibility requirements for the school-based dental sealant program to include Indian tribes and directs the Secretary, acting through the Director of the CDC, to award grants to states and Indian tribes to improve their basic capacity to improve the oral health of children and their families. The Senate bill is sponsored by Sen. Jeff Bingaman (NM) and was referred to the Finance Committee on March 1, 2007. The House bill is sponsored by John Dingell (MI) and has been referred to the Energy and Commerce and Ways and Means Committees.

#### Children's Health Insurance Promotion Act of 2007 (H.R. 593)

This bill, sponsored by Rep. David Reichert (WA), amends title XXI (State Children's Health Insurance) (SCHIP) of the Social Security Act (SSA) to direct the Secretary of Health and Human Services to award grants to eligible entities to: (1) conduct innovative outreach and enrollment efforts that are designed to increase the enrollment and participation of eligible children under SCHIP; and (2) promote understanding of the importance of health insurance coverage for prenatal care and children. It will also amend title XIX (Medicaid) to grant a state the option to provide for simplified determinations of a child's financial eligibility for medical assistance under Medicaid or child health assistance under SCHIP.

The bill language includes a 10% set-aside for the IHS providers to conduct outreach and enrollment under Title V of the IHCA. The bill was referred to the Health Committee of the Energy and Commerce Committee on February 2, 2007.

#### Indian Youth Telemental Health Demonstration Project Act of 2007 (S. 322)

S. 322, sponsored by SCIA Chairman Byron Dorgan (ND), would authorize the Secretary of Health and Human Services to carry out a demonstration project to award up to five grants, for a period of four years each, for the provision of telemental health services to Indian youth who have expressed suicidal ideas, have attempted suicide, or have mental health conditions that increase or could increase the risk of suicide. The bill makes eligible for such grants any Indian tribes and tribal organizations that operate one or more facilities: (1) located in Alaska and part of the Alaska Federal Health Care Access Network; (2) reporting active clinical telehealth capabilities; or (3) offering school-based telemental health services relating to psychiatry to Indian youth. The bill was favorably reported out of the SCIA on April 10<sup>th</sup> and placed on the Senate Legislative Calendar.

Diabetes Prevention Access and Care Act of 2007 (H.R.2210)

H.R. 2210 will amend the Public Health Service Act to prevent and cure diabetes and to promote and improve the care of individuals with diabetes for the reduction of health disparities within racial and ethnic minority groups, including the African-American, Hispanic American, Asian American and Pacific Islander, and American Indian and Alaskan Native communities. The bill is sponsored by Diana DeGette (CO) and was referred to the House Committee on Energy and Commerce on May 8<sup>th</sup>.

Indian Tribes Methamphetamine Reduction Grants Act of 2007 (S. 85, H.R. 267)

S. 85, sponsored by John McCain (AZ), and H.R. 267, sponsored by Tom Udall (NM), will amend the Omnibus Crime Control and Safe Streets Act of 1968 to include territories and Indian tribes as eligible grant recipients (or reaffirm such eligibility) under the programs to: (1) address the manufacture, sale, and use of methamphetamine; (2) aid children in homes in which methamphetamine or other drugs are unlawfully manufactured, distributed, dispensed, or used; and (3) address methamphetamine use by pregnant and parenting women offenders. The Senate bill has been referred to the Judiciary Committee.

H.R. 267 was passed out of the Judiciary Committee on March 8 and referred to the Energy and Commerce Committee. The Energy and Commerce Committee reported the bill favorably on March 21<sup>st</sup>; with the full House passed the bill on March 22<sup>nd</sup>. The bill was referred to the Senate March 26<sup>th</sup>.

NPAIHB Policy Update is a publication of the Northwest Portland Area Indian Health Board, 527 S.W. Hall, Suite 300, Portland, OR 97140. For more information visit [www.npaihb.org](http://www.npaihb.org) or contact Jim Roberts, Policy Analyst, at (503) 228-4185 or by email [jroberts@npaihb.org](mailto:jroberts@npaihb.org).