



RESOLUTION #04-04-03
Opposition to New IHS Eligibility Policy to Serve
Ineligibles Under Section 813(b) of the IHCIA

**NORTHWEST
PORTLAND
AREA
INDIAN
HEALTH
BOARD**

Burns-Paiute Tribe
Chehalis Tribe
Coeur d'Alene Tribe
Colville Tribe
Coos, Suislaw &
Lower Umpqua Tribe
Coquille Tribe
Cow Creek Tribe
Cowlitz Tribe
Grand Ronde Tribe
Hoh Tribe
Jamestown S' Klallam Tribe
Kalispel Tribe
Klamath Tribe
Kootenai Tribe
Lower Elwha Tribe
Lummi Tribe
Makah Tribe
Muckleshoot Tribe
Nez Perce Tribe
Nisqually Tribe
Nooksack Tribe
NW Band of Shoshoni Tribe
Port Gamble S' Klallam Tribe
Puyallup Tribe
Quileute Tribe
Quinault Tribe
Samish Indian Nation
Sauk-Suiattle Tribe
Shoalwater Bay Tribe
Shoshone-Bannock Tribe
Siletz Tribe
Skokomish Tribe
Snoqualmie Tribe
Spokane Tribe
Squaxin Island Tribe
Stillaguamish Tribe
Suquamish Tribe
Swinomish Tribe
Tulalip Tribe
Umatilla Tribe
Upper Skagit Tribe
Warm Springs Tribe
Yakama Nation

WHEREAS, the Northwest Portland Area Indian Health Board (NPAIHB) is a tribal organization under P.L. 93-638 that represents forty-three Federally-recognized Indian tribes in Oregon, Washington and Idaho and is dedicated to assisting and promoting the health needs and concerns of Indian people in the Northwest; and

WHEREAS, the Northwest Portland Area Indian Health Board is dedicated to assisting and promoting the health needs and concerns of Indian people; and

WHEREAS, the primary goal of the NPAIHB is to improve the health and quality of life of its member tribes; and

WHEREAS, the Indian Health Service (IHS) has developed a draft policy to use in making determinations when Tribes provide direct health care services to ineligible individuals served in IHS facilities under Section 813(b) of the Indian Health Care Improvement Act (IHCIA) and the policy has been circulated for Tribal Consultation; and

WHEREAS, the proposed policy has greater implications for Tribal health programs than just addressing the issue of providing services for ineligible individuals in Tribal facilities and the consequences of its effects need to carefully be considered by the IHS; and

WHEREAS, the implications of the proposed policy are a great concern to Northwest Tribes and its effects infringe upon the basic principles of Indian Self-Determination and Self-Governance; and

WHEREAS, aside from the Self-Determination and Self-Governance concerns, the proposed policy will have considerable impact on Tribal health programs in many ways that include: reimbursement issues associated with the encounter rate (i.e. one-facility/one rate); licensure and certification concerns; Contract Health Service Delivery Area (CHSDA) definition and eligibility issues; health systems planning that is based on business models of projecting future users, personnel and facility needs; diminished health systems capacity and the ability run business systems; and, the new policy is contrary to many Tribal policies on eligibility which are supported by Tribal Resolutions; and

WHEREAS, the issues associated with defining eligibility should be defined at the local Tribal level and the IHS should not develop a policy on this issue.

NOW THEREFORE BE IT RESOLVED that the Northwest Portland Area Indian Health Board does not support the proposed policy on providing services to ineligibles and these types of determinations are Tribal decisions that should be made at the local level.

BE IT FURTHER RESOLVED that the Northwest Portland Area Indian Health Board recommends that the IHS rescind the proposed policy on providing services to ineligible individuals served in IHS facilities under Section 813(b) of the IHCIA.

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CERTIFICATION

NO. 04-04-03

The foregoing resolution was duly adopted at the regular session of the Northwest Portland Area Indian Health Board. A quorum being present and voting; 30 for, 0 against, 0 abstain on July 22, 2004.

Renee Capraiman-Balles
Chairman

July 22, 2004
Date

Stella M. Washines
Secretary