

The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution in Support of a waiver for uncompensated care provided in Indian Health Service, Tribal, and Urban Health Facilities in the State of Oklahoma

Resolution No. 14-26



Bill John Baker
Principal Chief

WHEREAS, the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing over 500,000 Indian people throughout the United States, and



Bill Anoatubby
Governor

WHEREAS, the ITC 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; and



Gary Batton
Principal Chief

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 (currently 3rd lowest); and



George Tiger
Principal Chief

WHEREAS, the vast majority of health services rendered at Indian Health Service, Tribes, and Urban Indian Organizations (I/T/U) facilities are covered by 100% Federal Medical Assistance Percentage (FMAP) with no State match; and



Leonard M. Harjo
Principal Chief

WHEREAS, services provided at an I/T/U are at no cost to the state and if Oklahoma Health Care Authority programs are eliminated it generates no state budget savings. Therefore, we propose that a Section 1115 waiver provide payments to these facilities for uncompensated care; and

WHEREAS, the Center for Medicare and Medicaid Services (CMS) has previously agreed the State could address I/T/U facilities separately in a Section 1115 demonstration waiver; and

WHEREAS, the Urban Institute did a study in March, 2013 which analyzed a proposed uncompensated care waiver for Oklahoma. The proposal allowed for full federal reimbursement through Medicaid for uncompensated care provided to those with incomes up to 138% FPL by I/T/Us. The study found that there will be an estimated 41,000 uninsured American Indians and Alaska Natives (AIANs) who would qualify to have their care reimbursed under the waiver in 2014, with

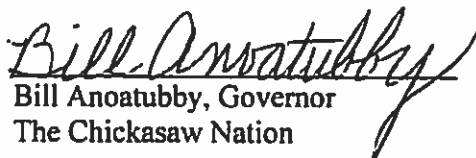
nearly half of them being employed, and almost 70% have a high school education or less. In 2014, they estimated that the federal government would reimburse between \$154 million and \$172 million in uncompensated care provided by I/T/U under the waiver; and

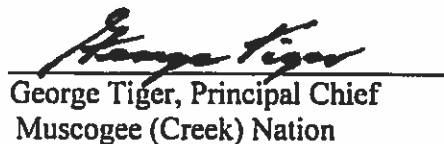
WHEREAS, the ITC supports that these waivers are target Section 1115 demonstration waivers that authorize payments to I/T/U facilities for uncompensated care. Under the Medicaid waiver, payments are made by the State Medicaid program to I/T/U facilities for services that would not otherwise be reimbursed under Medicaid, Medicare or private health insurance coverage. Payments are determined by a formula that is developed by the State as part of the waiver development process.

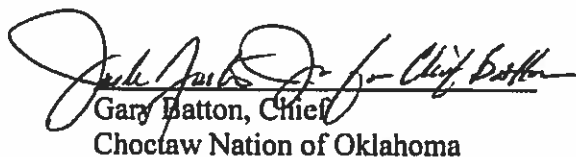
NOW THEREFORE BE IT RESOLVED THAT, the ITC supports a waiver for uncompensated care for Tribes, Indian Health Service, and Urban Indian Organizations in the State of Oklahoma.

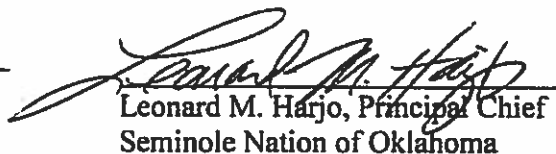
CERTIFICATION

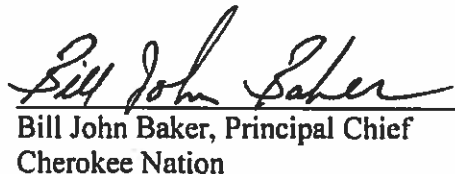
The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Durant, Oklahoma on this 10th day of October, 2014, by a vote of 5 for 0 against and 0 abstentions.


Bill Anoatubby, Governor
The Chickasaw Nation


George Tiger, Principal Chief
Muscogee (Creek) Nation


Gary Batton, Chief
Choctaw Nation of Oklahoma


Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma


Bill John Baker, Principal Chief
Cherokee Nation