

The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution Calling on the U.S. Drug Enforcement Administration to Preserve Full Telemedicine Flexibility of Medication Assisted Treatment

Resolution No. 23-11



Chuck Hoskin Jr.
Principal Chief



Bill Anoatubby
Governor



Gary Bolton
Chief



David W. Hill
Principal Chief



Lewis J. Johnson
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 approximately 815,000 Indian people throughout the United States; and

WHEREAS, opioid addiction has had devastating impacts on tribal nations, but we have found ways to mitigate the impact on our citizens through Medication Assisted Treatment (MAT), including by prescribing the medication buprenorphine to patients recovering from opioid addiction; and

WHEREAS, patients in our MAT programs often struggle with meeting the most basic needs, and lack of transportation in rural communities adds an additional barrier to accessing effective substance misuse treatment; and

WHEREAS, pandemic-era flexibilities in federal regulation of telemedicine have greatly improved the reach and effectiveness of MAT programs by reducing the time needed to meet with a provider, eliminating need for transportation, and making it much easier for patients, who are often newly employed, to make treatment appointments work with their job schedules; and

WHEREAS, new proposed rules from the United States Drug Enforcement Administration (DEA-407 and DEA-948) would allow only a 30-day supply of buprenorphine to be prescribed without an in-person appointment; and

WHEREAS, for successful addiction treatment, new patients need frequent visits with their behavioral health providers. This rule's limitations on telemedicine for some of our most vulnerable community members threatens that access and puts lives at risk; and

WHEREAS, the Tribal Technical Advisory Group to the Centers for Medicare & Medicaid Services (CMS TTAG) has also identified that in many cases, a 30-day prescription of buprenorphine could do more harm than good, as the increased risk of overdose from a lapse in prescription, coupled with the distance that many AI/ANs must travel to receive care, could quickly result in life-threatening circumstances;

NOW THEREFORE LET IT BE RESOLVED THAT, the Inter-Tribal Council of the Five Civilized Tribes calls on the U.S. Drug Enforcement Administration to revise their

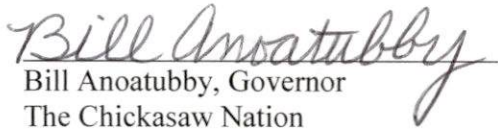
The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

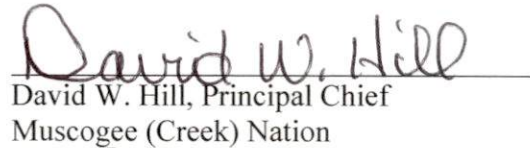
proposed rules in order to preserve the existing flexibility of behavioral health providers to offer a 90-day refill of buprenorphine via telemedicine.

BE IT FURTHER RESOLVED, the Inter-Tribal Council of the Five Civilized Tribes calls on the DEA to conduct a full tribal consultation on any further changes to telemedicine regulations that could impact our citizens' access to care.

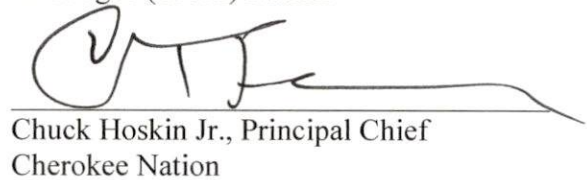
CERTIFICATION

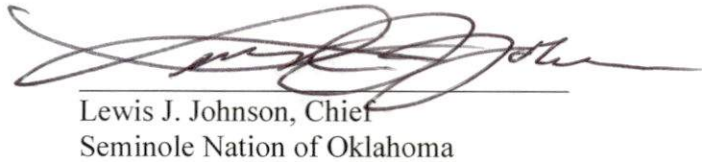
The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Thackerville, Oklahoma on this 14th day of April, 2023, by a vote of All for 0 against and 0 abstentions.


Bill Anoatubby, Governor
The Chickasaw Nation


David W. Hill, Principal Chief
Muscogee (Creek) Nation


Gary Patton, Chief
Choctaw Nation of Oklahoma


Chuck Hoskin Jr., Principal Chief
Cherokee Nation


Lewis J. Johnson, Chief
Seminole Nation of Oklahoma