

United Tribes of Michigan

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Frank Ettawageshik, Executive Director

RESOLUTION # 050 02-23-2017

United Tribes of Michigan Request for Congressional Support and Tribal Consultation for any Changes to the Affordable Care Act or Indian Health Care Improvement Act that Affect Tribally Owned Health Care Facilities

WHEREAS, the membership of United Tribes of Michigan (UTM) is open to all of the twelve federally recognized tribes located in Michigan; and

WHEREAS, the organization provides a forum for the Tribes in Michigan to address issues of common concern and is committed to join forces to advance, protect, preserve and enhance the mutual interests, treaty rights, sovereignty, and cultural way of life of the sovereign Indian Tribes of Michigan throughout the next seven generations; and

WHEREAS, UTM accepts the mission to engage, as a matter of mutual concern, issues that impact the health, security, safety, and general welfare of Native Americans; and

WHEREAS, UTM is aware that in 2010 the Indian Health Care Improvement Act (“IHCIA”) was permanently reauthorized by Section 10221 of the Patient Protection and Affordable Care Act (“ACA”); and

WHEREAS, permanent reauthorization of the IHCIA provided many new resources and opportunities to tribal health care facilities as well as tribal members by modernizing health delivery systems, enhancing Indian Health Services (“IHS”) funding, integrating behavioral health programs, and codifying provisions that save costs and enhance resources for tribal health care facilities and their patients for both tribal members and non-tribal members; and

WHEREAS, the IHCIA also amended Section 1905(b) of the Social Security Act to require 100% federal reimbursement for Medicare and Medicaid services provided to all patients of tribal health care facilities; and

WHEREAS, the IHCIA and ACA expanded patient eligibility for Medicaid and Medicare coverage as well as expanded the types of services that are eligible for Medicaid and Medicare coverage; and

WHEREAS, the ACA provided important protections and funding opportunities for tribal health care facilities outside of the IHCIA and provided important health care benefits to all patients; and

WHEREAS, federal agencies (through Executive Order 13175) and State of Michigan agencies (through Executive Directive 2012-2) are required to provide notice of and meaningfully consult with tribes before moving forward with any policies, regulations, proposed legislation, or other policy statements that have substantial direct effect on one or more tribes or the relationship between the federal and state government and tribes; and


WHEREAS, the potential repeal and replacement of the ACA would have a substantial direct effect on all the beneficial provisions for tribes, tribal health care facilities, and all patients (both tribal members and non-tribal members), including but not limited to IHS funding, broader U.S. Department of Health and Human Services funding, Medicaid and Medicare reimbursement, and modernized tribal health care delivery; and

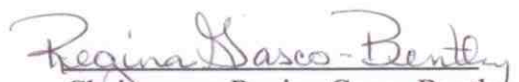
WHEREAS potential rollback on Medicaid expansion may force tribes to compete with all state health care providers for Medicaid funding.

NOW, THEREFORE BE IT RESOLVED that the United Tribes of Michigan requests state and federal congressional support and tribal consultation for any change that would negatively impact health care delivery in Indian country, particularly tribal health care facilities, because of changes to the ACA, IHCIA, U.S. Department of Health and Human Services or IHS funding, and/or Medicaid and Medicare expansion.

BE IT FURTHER RESOLVED that this resolution shall be the policy of UTM until it is withdrawn or modified by subsequent resolution.

Adopted by a vote of 9 in favor, 0 against, 0 abstaining, at a meeting of the United Tribes of Michigan held in Lansing, MI, on February 23, 2017.


Chairman Aaron Payment
UTM President


Chairperson Regina Gasco Bentley
UTM Secretary