



National Indian Health Board



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Contact: Stacy Bohlen
NIHB Executive Director
202-680-2800
sbohlen@nihb.org

**It's Official! Indian Health Care Improvement Act Permanent!
Affordable Care Act Stands!
NIHB Celebrates the Supreme Court's Health Reform Decision**

In today's landmark decision of *National Federation of Independent Business et al. vs. Sebelius*, the Supreme Court upheld the Affordable Care Act (ACA) and affirms the permanent reauthorization of the Indian Health Care Improvement Act (IHCIA) included in the ACA. Now, with this important Supreme Court decision regarding the ACA with its permanent reauthorization of the IHCIA, the Indian health care system can begin a new chapter in the delivery of quality health care to American Indians and Alaska Natives. NIHB will continue to fight to protect the ACA and the continuous improvement of health care for American Indians and Alaska Natives.

The IHCIA, originally enacted in 1976, forms the basis for the direct delivery of health care to American Indians and Alaska Natives and provides the statutory framework for carrying out the federal government's trust responsibility for delivery of health care to Indian people. IHCIA provides authority for the Indian Health Service (IHS); programs operated by Indian Tribes and Tribal organizations; and urban organizations that receive IHS grants and contracts. The Indian health care system serves approximately 2 million Native people.

For over a decade, The National Indian Health Board supported Tribal Leaders and advocates, whom together worked tirelessly on the reauthorization of the IHCIA and with it, critical updates and modernizations to the Indian health care system. Some of these include, expanded cancer screenings, long-term care, hospice care and care for the elderly and disabled. With 449 Tribes and Tribal organizations from across the nation, the National Indian Health Board filed an amicus brief with the US Supreme Court to protect the permanent reauthorization of the IHCIA and other Indian-specific provisions included in the ACA. With today's opinion, the IHS, Tribes and Tribal Organizations can seamlessly continue the implementation of these new IHCIA authorities and the other ACA provisions. Cathy Abramson, Chairperson of the NIHB Board of Directors, states:

“Indian Country applauds the Supreme Court's decision today. From the perspective of Indian Country, the Affordable Care Act – inclusive of the IHCIA – is the most significant advancement in Federal health policy for America's indigenous people. The National Indian Health Board will continue to work with Tribes and Tribal organization to ensure that the IHCIA and the ACA, are implemented, protected and strengthened so tribal communities can address the health challenges that affect American Indians and Alaska Natives.”

Additional Information

The Affordable Care Act provides a wealth of new resources and opportunities for both tribal health and mainstream health care institutions, families, providers and patients. This law increases access to health care coverage for all Americans, including American Indians and Alaska Natives. It will also provide greater employment opportunities and training for health care professionals for both Native and mainstream America, which will result in more jobs and improve delivery of health care for all Americans. In addition, Indian Country is already seeing the benefits of the IHCIA. Just some of these benefits include:

Permanent Authorization: Previously the IHCIA needed to be reauthorized periodically by Congress. However, it took more than ten years to reauthorize the bill most recently, and the Indian health system became outdated and further underfunded. The Affordable Care Act permanently reauthorizes the Indian Health Care Improvement Act so that Indian Country never has to fight for reauthorization of guaranteed services again. The Supreme Court decision allows Tribal leaders and tribal health advocates to focus on implementation instead of legislative advocacy.

Federal Employees Health Benefits (FEHB) - Under the permanent reauthorization of the IHCIA, Tribes and Tribal organizations operating programs under the Indian Self-Determination and Education Assistance Act are eligible to purchase health insurance for their employees under the Federal Employees Health Benefits (FEHB) Program administered by the Office of Personnel Management (OPM). Tribes began signing up for FEHB on a rolling basis with a first effective coverage date of May 1, 2012.

Memorandum of Agreement with the VA - IHCIA authorizes the Department of Veteran's Affairs (VA) to reimburse for services provided by IHS and Tribal health facilities to eligible AI/AN Veterans. Now, American Indians and Alaska Native Veterans will have the option of being treated at their Tribal clinic or IHS hospital, and the cost of this care may be covered by the VA. A draft agreement has been released and IHS and the VA conducted in-person tribal consultation on this proposal.

Long-Term Care - With new authorities under IHCIA, IHS is able to share resources, as well as contract and compact with Tribes to ensure elders and those living with disabilities have the care that they need. These types of care include long-term care, home and community-based services, hospice, and assisted living. IHS has initiated consultation with Tribes on these provisions of IHCIA. IHS hopes to gain more insight into Tribal recommendations on long-term care including functionality, jurisdiction, reimbursement, and workforce development.

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Established 40 years ago, NIHB advocates on behalf of all Tribal governments for the provision of quality health care to all American Indians and Alaska Natives. Visit <http://www.nihb.org> for more information.



926 Pennsylvania Avenue, SE | Washington, DC 20003 | 202-507-4070 | 202-507-4071 fax | www.nihb.org

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