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**Increase in IHS Funding for FY 2012
Passes Appropriations Full Committee
Mark-up**

A nearly \$400 million increase in Federal funding to the Indian Health Service (IHS) for Fiscal Year (FY) 2012 passed the full House Appropriations Committee during a 10-hour mark-up of the Interior, Environment, and Related Agencies Appropriations bill on July 12th. The proposed bill would raise IHS's funding level from \$4.069 billion in FY 2011 enacted levels to \$4.462 billion in FY 2012, which results in a \$392 million increase. Although this increase is \$162 million less than President Obama's request, this additional funding is nonetheless sorely needed. The proposal would include \$836,685,000 for Contract Health Services, \$427,259,000 for Indian Health Facilities and \$573,761,000 for Contract Support Costs. The proposed bill now awaits further action and final passage by

the U.S. House of Representatives and the Senate.

**Senate Committee on Indian Affairs
Holds Hearing on Keeping AI/AN
Women Safe**

On July 14th, the Senate Committee on Indian Affairs conducted an oversight hearing entitled, "Native Women: Protecting, Shielding, and Safeguarding Our Sisters, Mothers, and Daughters." A total of three witness panels were held to relay the severity of domestic violence and sexual assault throughout Indian Country. Testimony was related to:

- Review of Indian Health Services data collection, policy changes and services to combat domestic violence, intimate partner violence, sexual assault and response from a behavioral health and clinical perspective;
- Department of Justice provided and overview of the epidemic and their efforts to combat domestic violence. Discussion regarding the need to build capacity and training for tribal law enforcement was noted for the record;
- Legal accountability for offenders of domestic violence, intimate partner violence and sexual assault is an issue facing Indian Country. The lack of accountability and lean tribal sentences for offenders often results in a fear based response from Native women. This issue will lead to a lack



of reporting and offenders will not be held accountable;

- Homelessness of Native women often results in human trafficking and sexual assault. Minnesota has experienced a significant increase in human trafficking and prostitution due to homelessness;
- Choctaw Nation of Oklahoma reported on the cultural importance of Native women and their roles within the family and community. An overview of the positive outcomes their communities have experienced as a result of their investment in domestic violence and sexual assault programming;
- Amnesty International stressed the importance of prioritizing Native women's health and safety to restore the traditional status of honor in tribal communities.

The Committee's record on this issue will remain open until July 28th. NIHB will be submitting additional testimony on behalf of Tribes. If you wish to make comments, please email them by July 25th to Liz Malerba at:

Lmalerba@nihb.org

For more information and to view a recording of the hearing, please visit:

<http://indian.senate.gov/hearings/hearing.cfm?hearingID=3d9031b47812de2592c3baeba618e2eb>

TRIBAL HEALTH REFORM UPDATES

HHS Releases Long-Awaited Proposed Rule on State Exchanges

On July 11th, the Secretary of the Department of Health and Human Services (HHS), Kathleen Sebelius announced the release of proposed rules governing the state-based health insurance exchange provision in the Affordable Care Act. By 2014, all states are required to have functional health insurance

exchanges—competitive marketplaces where individuals and small businesses are able to shop and compare prices for private health insurance plans. The proposed rules contain guidance on the following:

- Setting standards for establishing Exchanges, setting up a Small Business Health Options Program (SHOP), performing the basic functions of an Exchange, and certifying health plans for participation in the Exchange, and;
- Ensuring premium stability for plans and enrollees in the Exchange, especially in the early years as new people come in to Exchanges to shop for health insurance.

The proposed rules feature a number of provisions that could be favorable to Indian Country, including:

- Each exchange with one or more Federal recognized tribes must engage in regular and meaningful consultation and collaboration with such tribes and their tribal officials on all Exchange policies that have tribal implications.
- Indian tribes, tribal organizations, and urban Indian organizations may be eligible, along with state or local human service agencies, to serve as Navigators in the exchange.
- The proposed rules permit an Exchange to allow Indian tribes, tribal organizations, and urban Indian organizations to pay the Qualified Health Plan premiums on behalf of qualified individuals, subject to the terms and conditions determined by the Exchange.
- The proposed rule intends to codify the statutory special enrollment period that Indians receive a monthly special enrollment period as specified in section 1311(c)(6)(D) of the



Affordable Care Act. It interprets the monthly special enrollment period to allow for an Indian to join or change plans one time per month.

The Center for Consumer Insurance Information and Oversight (CCIIO) is seeking comments on a number of provisions. A short list of these needed comments is below.

- How to distinguish between individuals eligible for assistance under the Affordable Care Act and those who are not in light of the different definitions of “Indian” that apply for other Exchange provisions.
- Potential implications on the process for verifying Indian status for the purpose of special monthly enrollment periods.
- Recommendations to establish requirements regarding reimbursement of Indian health providers qualifying under 340B(a)(4) of the PHS Act.
- Comments on other special accommodations that must be made when contracting with Indian health providers.

The lists above do not represent a comprehensive analysis of the proposed rules and there are several areas where comments and feedback are necessary. If you are interested in assisting the workgroup in reviewing and/or writing comments on the proposed rules, contact Doneg McDonough at dmcdonough@nihb.org.

To view the proposed rule or to comment, please visit:

<http://www.regulations.gov/#!documentDetail;D=HHS-OS-2011-0020-0001>

For more information about the exchanges, please visit:

<http://www.healthcare.gov/law/provisions/exchanges/index.html>

AHRQ Requests Comments on Draft Tribal Consultation Policy

The Agency for Healthcare Research and Quality (AHRQ) is in the process of drafting a tribal consultation policy to continue working with tribal leaders to increase and improve evidence-based research to deliver high-quality health care and to work with their patients as partners. The policy includes proposed annual consultation meetings, identifies different forms of consultation, and defines consultation reporting requirements. You can read the draft tribal consultation policy [here](#) and provide feedback or comments to Wendy Perry at Wendy.Perry@ahrq.hhs.gov.

ACF Announces Tribal Consultation Planning Calls and Session

The Administration for Children and Family (ACF) will host a Tribal Consultation Session on Thursday, August 18, 2011 in Washington, DC. During the Tribal Consultation Session, ACF Principals will be available to speak with Tribal Leaders to discuss issues important to the Tribes. This year's session will focus on ACF tribal program priorities and will include a listening session on tribal self-governance. To help tribal leaders and ACF Principals prepare for this consultation, ACF plans to host a series of teleconference calls to identify who will be providing testimony and for which office. The [agenda](#) may change based on the testimonies ACF expects to receive. The planning teleconference calls will be held:

- Wednesday, July 20, 2011 @ 2:00 p.m. - 3:00 p.m. (EDT)
- Wednesday, July 27, 2011 @ 2:00 p.m. - 3:00 p.m. (EDT)

The call-in number and passcode are: 866-763-4038, 354503#.





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For More Information Contact:
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NEXT WEEK IN WASHINGTON

CENTERS FOR MEDICARE & MEDICAID SERVICES

SPECIAL OPEN DOOR FORUM: QUALITY CARE FINDER

PROVIDING AN OVERVIEW OF THE QUALITY CARE FINDER ONLINE RESOURCE

DATE: WEDNESDAY, JULY 20, 2011

TIME: 2PM-3PM ET

AUDIO ONLY WEB-BASED

TO PARTICIPATE:

GO TO:

[HTTP://WWW.CMS.GOV/APPS/EVENTS/EVENT.ASP?ID=637](http://www.cms.gov/apps/events/event.asp?id=637) REGISTER BY MIDNIGHT JULY 19, 2011

