

# National Indian Health Board



## THE REAUTHORIZATION OF THE INDIAN HEALTH CARE IMPROVEMENT ACT BRINGING INDIAN HEALTH SERVICES INTO THE 21<sup>ST</sup> CENTURY

### **Basis for Indian Health Care**

The unique “trust relationship” between the U.S. and federally-recognized Indian Tribes has long been recognized in the Constitution, statutes, regulations, case law, Presidential executive orders and agency policies, and the general course of dealings between Indian Tribes and the Federal government. In its role of “guardian,” the United States provides a variety of services, including health care, to Indian people.

The Indian Health Care Improvement Act (IHCIA), along with the Snyder Act of 1921, forms the statutory basis for the delivery of federally funded health care and the direct delivery of care to American Indians and Alaska Natives (AI/ANs). Since its passage in 1976, the IHCIA has provided the programmatic and legal framework for carrying out the federal government’s trust responsibility for Indian Health.

### **The Need for Reauthorization of the IHCIA**

Congress should act 1) to extend the life of the IHCIA and 2) to update the bill to reflect the modern methods of health care delivery.

1. The IHCIA contains a number of provisions that authorize appropriation of funds to support Indian health care programs set forth in the law; however, the life of these provisions expired September 2002. Fortunately, the Snyder Act of 1921 provides permanent authority for the appropriation of funds for Indian health, so Congress can and does continue to appropriate funds for these programs. IHCIA needs to be reauthorized to supply the baseline authority for providing direct health care to AI/ANs.

*Need for Permanent Authority:* To bring stability to our system, it is critical that the IHCIA be made a permanent law of the United States, just as the Federal Government's trust responsibility to provide health care to Indian Tribes is a permanent obligation of the Federal government. We ask Congress to remove the "sunset" dates and permanently authorize the appropriation of funds to carry out the programs and services the Act requires, to assure Indian people that the IHCIA will continue to direct how their health care will be delivered, and to demonstrate that Congress is committed to honoring its trust responsibility for health.



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2. Reauthorization of the IHCIA is vital to enable the Indian health system to utilize more efficient, effective and updated methods of health care delivery in the 21<sup>st</sup> Century. Since Congress' last comprehensive review of IHCIA in 1992, the American health care delivery system has been revolutionized while the Indian health care system has not. For example, mainstream American health care has moved out of hospitals and into people's homes; focus on prevention has been recognized as both a priority and a treatment; and, coordinating mental health, substance abuse, domestic violence, and child abuse services into comprehensive behavioral health programs is now standard practice.

### **IHCIA in the 111<sup>th</sup> Congress**

Through the continuous hard work and dedication of Tribes, Indian Advocates and Friends of Indian Country, the IHCIA has been reintroduced in the 111<sup>th</sup> Congress.

#### **House**

The House Bill, H.R. 2708, was introduced on June 4, 2009. This bill was based on the work and success of the bills in the 110<sup>th</sup> Congress (H.R. 1328 and S. 1200) and recommendations by the National Steering Committee. In October, the leadership of the House included the entire H.R. 2708 in the house health care reform bill (H.R. 3926). This version of H.R. 3926 is nearly the same as the H.R. 2708 and makes the IHCIA a permanent law.

We hope with the inclusion of the IHCIA in national health reform efforts and continual progress of the bill that IHCIA will be passage this year.

#### **Senate**

The Senate bill, S. 1790, was introduced on October 15, 2009. This bill contains some provisions previously included in S. 1200 or currently in H.R. 2708 and new provisions currently being reviewed by Indian Country.

### **Highlights of what is included in the IHCIA Reauthorization**

- Enhances the ability of Indian Health Services (IHS) and tribal health programs to attract and retain qualified Indian health care professionals.
- Updates and modernizes health delivery services, such as cancer screenings, home and community based services and long term care for the elderly and disabled.
- Establishes a continuum of care through integrated behavioral health programs both prevention and treatment –to address alcohol/substance abuse problems and the social service and mental health needs of Indian people.

### **How can I help?**

**Support the Reauthorization Of Indian Health Care Improvement Act By Actively Promoting the Inclusion of the IHCIA In Health Care Reform Through Final Passage.**

For more information, contact Jessica Burger, Government Relations Director at (202) 507-4079 or Jennifer Cooper, Legislative Director at (202) 507-4076 or (202) 680-4455.



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