



TRIBAL CONSULTATION POLICY ANNUAL REPORT

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Arizona Department of Health Services (ADHS)

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Phoenix, AZ 85007

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Order 2006-14 – Consultation and Cooperation with Arizona Tribes

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NATIVE AMERICAN LIAISON

The Arizona Department of Health Services (ADHS) full time Native American Liaison is Michael Allison (Dine'). Mr. Allison reports directly to Department Director Will Humble. Mr. Allison coordinated the following ADHS Tribal Consultation meetings.

LICENSURE TRIBAL CONSULTATION MEETINGS

In 2012 Region IX of the Centers for Medicaid and Medicare Services (CMS) issued a policy change whereby non-tribal/638 and non-Indian Health Service (IHS) providers operating on tribal lands needed to be state licensed to participate in the Arizona State Medicaid program, the Arizona Health Care Cost Containment System (AHCCCS). ADHS worked this fiscal year with AHCCCS, the Navajo Nation, Hopi Tribe and Tohono O'odham Nation on a government-to-government basis in finding solutions respecting tribal sovereignty.

Tohono O'odham Nation (TON): An ADHS, AHCCCS, TON Tribal Consultation Meeting was held on 8/01/13 in Phoenix. A determination was made that the Tohono O'odham Nursing Care Authority (TONCA) was not subject to state licensing for Medicaid participation as it was determined to be a tribal-owned entity. In April 2014 a draft Memorandum of Agreement (MOA) was provided by TON to the state Attorney General's attorney assigned to ADHS. State service provided was collaboration ensuring continued AHCCCS reimbursements to the TONCA and initiation of discussions to develop an ADHS, AHCCCS, TON MOA allowing for AHCCCS reimbursements for non-tribal/638 and non-IHS providers operating on TON reservation lands.

Hopi Tribe: An ADHS, AHCCCS, Hopi Tribal Consultation Meeting was held on 7/24/13 in Phoenix. It was determined that the Hopi Assisted Living Facility, Inc. (HALF, Inc.) was subject to state licensing for Medicaid participation as it was not determined to be a tribal-owned. On 9/23/13 the Hopi Tribal Council passed a resolution authorizing HALF, Inc. to be state licensed. A second ADHS, AHCCCS, Hopi Tribe Tribal Consultation Meeting was held on 11/19/13 in Phoenix. In December 2013 a Memorandum of Understanding (MOU) allowing for state licensing of HALF, Inc. was signed by the Hopi Tribe, ADHS and AHCCCS.

In June 2013 ADHS Division of Licensing staff conducted an on-site compliance survey of HALF, Inc. Based on the positive outcome of the survey, ADHS issued a state Assisted Living License to HALF, Inc. and based on the ADHS License AHCCCS issued HALF, Inc. a Medicaid Provider number allowing for Medicaid reimbursements. HALF, Inc. is now open and providing much needed services to Hopi tribal elders. State service provided were collaboration on the development of the MOU and state licensing of HALF, Inc.

Navajo Nation: An ADHS, AHCCCS, Navajo Nation Tribal Consultation Meeting was held on 9/30/13 in Fort Defiance on the Navajo Nation. The topics of discussion were clarification of the issue and identification of Navajo reservation AHCCCS providers impacted by the CMS requirement for non-Tribal/638 and non-IHS facilities to be state licensed. Follow up ADHS, AHCCCS, Navajo Nation Tribal Consultation meetings were held on 10/28/13, 10/29/13 and

1/24/14 in Phoenix. On 1/13/14 ADHS Director Will Humble and AHCCCS Director Tom Betlach sent a joint letter to the Region IX CMS Regional Director outlining the agreement reached between ADHS, AHCCCS and the Navajo Nation to develop a MOU allowing for ADHS to conduct on-site surveys to determine compliance with state regulations.

In May 2014 the ADHS, AHCCCS, Navajo Nation MOU was official approved and signed by all parties. In June 2014 discussions were initiated between ADHS and the Navajo Division of Health to discuss implementation of the MOU through Navajo Nation requests for courtesy surveys. State service provided was collaboration in the development of the MOU allowing for AHCCCS reimbursements for non-tribal/638 and non-IHS providers operating on Navajo reservation lands.

PUBLIC HEALTH ACCREDITATION TRIBAL CONSULTATION MEETING

An ADHS Public Health Accreditation Project Tribal Consultation Meeting was held on 2/12/14 in Phoenix. A formal report of the meeting was prepared and distributed by email to Tribal Leaders on 7/28/14. The report is posted on the ADHS Native American website and can be access through the following website link: <http://azdhs.gov/diro/tribal/pdf/reports/public-health-accreditation-tcm-report-021214.pdf>. Four tribal representatives and one Inter Tribal Council of Arizona, Inc. representative attended the meeting. The four tribal representatives were from the Navajo Nation, White Mountain Apache Tribe, Salt River Pima-Maricopa Indian Community, and Pascua Yaqui Tribe.

The four tribal representatives were in agreement that they not aware of any efforts made by the counties reaching out to the tribes during their data collection efforts, that state/tribal data sharing agreements needed to be pursued, and that there is a need for tribal specific data collection. They all expressed appreciation for ADHS sponsoring the meeting. State service provided were formal sharing of information on the ADHS plans to pursue Public Health Accreditation and providing a forum for tribal input into the plans.

BEHAVIORAL HEALTH TRIBAL CONSULTATION MEETING

An ADHS Greater Arizona Regional Behavioral Health Authority (RBHA) Request for Proposal (RFP) Tribal Consultation Meeting was held on 2/21/14 in Parker at the Colorado River Indian Tribes' Blue Water Resort & Casino. A formal report of the meeting was prepared and distributed by email to the Tribal Leaders on 5/02/14. The report is posted on the ADHS Native American website and can be access through the following website link: <http://azdhs.gov/diro/tribal/pdf/reports/greater-az-rhba-rfp-tribal-consultation-meeting-report.pdf>. Thirty-seven participants attended the meeting. Twelve were official tribal representatives from six tribes. These tribes were the Hualapai Tribe, Colorado River Indian Tribes, Fort Mojave Indian Tribe, Yavapai-Apache Nation, Pascua Yaqui Tribe and TON.

The twelve tribal representatives offered seventeen specific concerns and recommendations which are documented in the formal report. These comments/recommendations included

continued support for the RBHA Tribal Liaison positions, need for breakdown of data between American Indians and non-American Indians, and that RBHAs services should be delivered in the existing structure of how tribes work together regionally. The state service provided were sharing of information on the ADHS plans for contracting of state behavioral health services outside of Maricopa County and providing a forum for tribal input on these plans.

TOBACCO & CHRONIC DISEASE TRIBAL CONSULTATION MEETING

An ADHS Tobacco & Chronic Disease Tribal Consultation Working Meeting was held on 5/01-02/14 in Phoenix. A formal report is under development for the meeting. Thirty-nine participants attended the meeting with twenty being tribal, Urban Indian, ITCA, and IHS representatives. Six were official tribal and urban Indian representatives from five tribes and one urban Indian program. The five tribes were the Kaibab-Paiute Tribe, Navajo Nation, Hopi Tribe, White Mountain Apache Tribe, and Salt River Pima-Maricopa Indian Community. A Tribal, Urban Indian, ITCA and ADHS work group was formed to plan and organize the Tribal Consultation Meeting.

The Tribal Consultation Meeting was unique in that the meeting was held over 1 ½ days with two separate Tribal Consultation Meetings incorporated in the agenda. Upon finalization the Meeting Report will be distributed by email to the Tribal Leaders and posted on the ADHS Native American website. The state services provided were sharing of information on ADHS's tobacco & chronic disease programs and providing a forum for tribal input into these programs.

TRIBAL DELAYED BIRTH CERTIFICATES TRIBAL CONSULTATION

Three ADHS collaborative meetings were held on 2/14/14, 3/24/14, and 5/06/14 with Native American advocates to discuss streamlining of the complex state requirements to obtain delayed birth certificates for individuals born before 1970. A temporary and permanent strategy was developed with the temporary being the issuance of a Substantive Policy Statement (SPS) in 2014 by Director Will Humble and a permanent fix being Legislative action to be pursued by Native American state legislators in 2015. On 5/18/14 a Meeting Notice was issued through email by ADHS to Tribal Leaders informing them about a Tribal Delayed Birth Certificate Tribal Consultation Meeting scheduled for 7/18/14 to discuss and receive tribal input on a draft SPS. The state services provided was initiation of policy changes to ADHS delayed birth certificates regulations in response to expressed concerns of tribal advocates.