
**MINUTES OF THE ADVISORY COUNCIL ON INDIAN HEALTH CARE
REGULAR MEETING**

Date: December 18, 2015

Time: 9:00 a.m. – 12:00 p.m.

Place: 1740 W. Adams, Suite # 409, Phoenix, AZ 85007

Members present

Priscilla Antone, Gila River Indian Community

Lori Joshweseoma, Hopi Tribe

Alida Montiel, Inter Tribal Council of Arizona, Inc.

Michael Allison, Arizona Department of Health Services

Members absent

Mary Huyser, Arizona Department of Economic Security

Bonnie Talakte, Arizona Health Care Cost Containment System

Staff present

Kim Russell, Executive Director, and Lydia Enriquez, Administrative Assistant

Guest present

Senator Carlyle Begay, LD7 (via telephone); Carol Chicharello, Indian Health Services; Herminia Frias, Arizona American Indian Oral Health Initiative; Candida Hunter, First Things First (via telephone) ; Cynthia Lemesh, Centers for Medicare and Medicaid Services (via telephone) ; and Deanna Sangster, Native Health

Meeting Called to Order

Ms. Montiel called the meeting to order at 9:20 a.m.

Roll Call / Establishment of Quorum

Ms. Russell called roll and four out of six members were present. Quorum was established.

Invocation

Ms. Joshweseoma offered the opening prayer.

Adoption of Meeting Agenda (Action Item)

Mr. Allison motioned to adopt the meeting agenda and Ms. Antone seconded the motion. All approved unanimously.

Reading and Approval of Minutes (Action Item)

Mr. Allison motioned to approve meetings minutes from 10/5/15, 10/23/15 and 12/7/15 with edits and Ms. Joshweseoma seconded the motion. All approved unanimously.

Reports

- **Chairwoman Report:** Ms. Montiel provided an update on the December 7, 2015 meeting at Inter Tribal Council of Arizona Inc. (ITCA) regarding Tuba City Regional Health Care Corporation's (TCRHCC) quest for funding to cover inmate health care for tribally funded departments of corrections. There will be a follow-up meeting on January 7, 2016 at the ITCA from 10 am – 2 pm.

Ms. Montiel staffs a group called the Tribal Health Steering Committee which is comprised of Tribal leaders from Arizona, Nevada and Utah who advise the Phoenix Area Indian Health Services. The Steering Committee selects a member to serve on the National Indian Health Board and the latest nominee is Mr. Vinton Hawley, Chairman of the Pyramid Lake Paiute Tribe of Nevada. Currently, there is a vacancy for an alternate to serve on the Indian Health Board.

In addition, there are vacancies for representatives and alternates to serve on the Centers for Medicare and Medicaid Services (CMS), Tribal Technical Advisory Group. There are other important work groups and advisory committees to the Department of Health and Human Services that need tribal members. Ms. Montiel will make available through Ms. Russell a list of work groups from every department within HHS that has vacant positions to be filled.

- **Executive Director Report:** Ms. Russell reported that the ACOIHC has been working on many items such as the continued development of the ACOIHC statutes as well as providing input to policy initiatives in the areas of Oral Health and the Certification and Reimbursement of the Community Health Representative (CHR) workforce. The midway point of the state fiscal year will be on December 31, 2015 and the agency budget is carefully being monitored so that funds are expended or encumbered completely by the end of the fiscal year on July 31, 2016. Ms. Russell provided a detailed report on ACOIHC Strategic Plan Goals 1-7
 - **Goal 1: Fill 20 Tribal Council Member Seats**
The newest recommended member to the ACOIHC, through tribal resolution, is Councilman Daniel L.A. Preston, III from the Tohono O'odham Nation.
 - **Goal 2: Update AACOIHC Statutes to be Current with Needs**
Further information during the Statute Committee agenda item.
 - **Goal 3: Expand Staffing and Funding Opportunities**
This goal is pending successful passage of AACOIHC bill this legislative session.
 - **Goal 4: Build and Develop Inter/Intra Statewide Collaboration**
 - Website The AACOIHC website is up and functional.

- Arizona American Indian Oral Health Initiative has secured continued funding from the DentaQwest Foundation for another year beginning December 1, 2015.
 - Community Health Representative Movement (CHR) On February 2, 2016 a few stakeholders will have an opportunity to provide a brief presentation before the House of Representatives Health Committee on the CHR Movement initiatives; the voluntary CHR certification and potential reimbursement from Centers for Medicare and Medicaid Services. Ms. Russell and Ms. Montiel will be part of that stakeholder group.
 - Statewide Arizona American Indian Behavioral Health Forum IV (BHF IV) The BHF IV is slated to occur on April 5-7 at the Casino del Sol Hotel on the Pascua Yaqui Reservation. The ACOIHC contribution to the BHF is to have a focus on Medicaid issues and anything policy related.

- **Goal 5: Identify Opportunities for Improving the Under-Representation of American Indians in Health Careers.**
 - San Carlos Apache Tribe (SCAT) Collaboration continues with SCAT on two initiatives: 1) Pathways into Health Conference and 2) St Luke's Health Initiative Innovation grant to fund the SCAT 5th Grade Project. The ACOIHC has given Ms. Russell the authority to hire a consultant to assist SCAT in writing the grant application for the St. Luke's Innovation Grant.

- **Goal 6: Conduct health care policy analysis and make health policy recommendations**
 - **Oral Health Stakeholder's Meetings**
 - The Arizona American Indian Oral Health Legislative Forum was held on August 12, 2015 in Flagstaff and a report has been issued. The goal is to use this report as an advocacy tool to share and move forward policy issues. Senator David Bradley continues to host the Oral Health Care Stakeholders Group and the two policy priority areas for 2016 are 1) Reinstatement of adult preventive dental benefit for the Arizona Long Term Care System Population, 21 years older and 2) Adult Dental benefits. Arizona is one of the only five states with no dental health coverage to Medicaid enrollees.
 - Tribal Correctional Health Care On December 7, 2015, Arizona tribal representatives, ITCA staff, and Congresswoman Anne Kirkpatrick's District Director met to discuss tribal correctional health care. Currently, inmate health care is not reimbursed by Medicaid or any other source thus the local tribal health care facility picks up the costs and responsibility. Discussions were around advocacy efforts that are needed to amend federal law to allow Medicaid reimbursement for this population.

- **Goal 7: Assist Tribes to identify title XIX demonstration projects, specific to each Arizona Indian tribe, both on and off reservations in cooperation with AHCCSS and CMS.**

- Section 1115 Workgroups- AHCCCS has developed three workgroups to complete the demonstration projects proposals Included in Arizona’s Section 1115 Waiver Proposal to CMS. The following workgroups were created:
 - Uncompensated Care
 - American Indian Medical Home
 - Traditional Healing

- Temporary Assistance for Needy Families (TANF) Tribes Medicaid Eligibility- Mr. Allison stated that because the TANF provision is in the ACOIHC statutes and has been in statute for many years it would be beneficial for this council to have information regarding states that currently do Medicaid eligibility such as Montana, Wisconsin, Washington and Minnesota. Mr. Allison proposed that Ms. Russell research those states eligibility process and provide a summary to the council at a future meeting.

Ms. Montiel commented that Ms. Verna Johnson, ITCA, works on human services child welfare issues is Ms. Verna Johnson and she is following up on tribal leader letters to the Department of Economic Services (DES) regarding the lack of consultation on the TANF eligibility benefits restriction and on other matters. Ms. Johnson reported that DES will conduct Tribal Consultation on the TANF Program and the State Plan for Child Care and Development on Thursday January 7, 2016. The TANF program session will be in the morning and the State Plan for Child Care and Development session in the afternoon. DES will provide an overview of the changes for each program and provide time for the tribes to submit written comments for the TANF Plan Amendments which are due on January 20, 2016. Also, there will be a federal submission by Arizona by March 1, 2016 for the Child Care and Development.

- **Statute Committee Report:** Mr. Allison reported that the ACOIHC Statute Committee has completed their work in providing amendments to the ACOIHC Statutes. The statute amendments are now at the legislative bill process and the Council is working with the legislators and governor’s staff to finalize a bill. Senator Begay continues to be supportive. The ACOIHC currently has four tribal resolutions in support of the statute amendments from the Havasupai Tribe, Gila River Indian Community, Navajo Nation, Tohono O’odham Nation and the fifth soon coming from the Hopi Tribe. The tribes of Arizona are aware of the ACOIHC statute amendments and also the issues with the appointment process. In addition, the Gila River Community, the Navajo Nation and the Tohono O’odham Nation are directing their leadership via tribal resolution to further communicate with Governor Ducey to request ACOIHC appointment be moved forward.

Senator Carlyle Begay joined the meeting via teleconferencing and he stated that the governor's office has two areas of concern on the AACOIHC draft bill proposed language:

1) ARS 36-2902.01 Page 1, lines 34 – 35 (THE GOVERNOR SHALL APPOINT THESE MEMBERS) the concern is with the word (SHALL), that it may create precedence on other boards and commissions on how the governor appoints. Senator Begay has requested assistance from the governors' staff to research replacement language that might be more acceptable to the governor's office.

2) ARS 36 – 2902. 02 Page 4, lines 15 – 17, the director, on notification by the council, shall include the amount of the COUNCIL'S appropriation request in the annual appropriations request TO THE LEGISLATUR. Senator Begay mentioned that Ms. Christina Corieri stated that the AHCCCS Director should not make appropriations request to the legislature, but to the governor. Ms. Montiel commented that her understanding of the budgeting process in the State of Arizona is that the agencies develop their budgets internally and then submit them to the governor who makes the final cut and then it goes to the legislature. She further stated that ACOIHC has always been within AHCCCS statutes and in their budget request because of the CMS match.

Senator Begay will set up a meeting with Ms. Corieri to include himself, Ms. Russell and Ms. Montiel to further discuss the two areas of concern.

Proposed statutes amendment edits:

ARS 36-2902.01:

- Page 1. Line 34 – 35 cross out; ~~THE GOVERNOR SHALL APPOINT THESE MEMBERS~~
- Page 1. Line 28, re-wording TWENTY-TWO REPRESENTATIVES FROM EACH FEDERALLY RECOGNIZED AMERICAN INDIAN TRIBE IN THIS STATE APPOINTED BY THE GOVERNOR. Similar language is in existing law in Page 1. Line 11.
- Page 1. Line 31 – 32, cross out; ~~RECOMMENDATION SHALL BE SUBMITTED BY THE TRIBE'S CHAIRPERSON, GOVERNOR OR PRESIDENT.~~ The Council proposed adding; ACCORDING TO EACH TRIBES APPOINTMENT PROCESS.

ARS 36-2902.02:

- Page 4. Lines 14 – 17 proposed language; the director, on notification by the council, shall include the amount of the COUNCIL'S appropriation request in the administration's annual appropriations request (cross out ~~TO THE LEGISLATURE~~) and keep the existing language no changes. Ms. Russell will forward the amended ACOIHC statute language to Senator Begay to amend the ACOIHC bill folder.

Senator Begay provided a detailed overview of the process of moving the ACOIHC bill forward. The Council will continue to work with Senator Begay and the governor's staff to finalize the bill for final submission.

Ms. Montiel stated that recently ITCA staff met with Senator Carlyle Begay and it was conveyed that ITCA would not approve of language that would diminish the ACOIHC stature of being less than Governor appointed. The ACOIHC has been officially in Arizona State Statute since 1990; and removing the word SHALL, will allow flexibility while still keeping it at Tribal Government and State Government one on one relationship. The Advisory Council on Indian Health Care and the Arizona Commission on Indian Affairs are the only two entities to provide that level of interface with state government. Senator Begay is willing to support us to make it amenable to the Governor's office.

History of the Advisory Council on Indian Health Care - Tabled

Statewide Executive Committee Oral Health Policy Recommendations

Ms. Herminia Frias reported that Arizona American Indian Oral Health Initiatives (AAIOHI) is in the process of finalizing the Oral Health Legislative Forum Report with the Statewide Executive Committee (SEC) and the key areas of focus at the Arizona American Indian Tribal Oral Health Legislative Forum were; 1) workforce development, 2) oral health care coverage and 3) preventative services. Key recommendations from the report were for more advocacy and potential legislative policy. Key areas for Workforce development were to:

- Support education and training for American Indians as dental providers
- Institute early career development programs at the elementary, middle and high school levels.
- Develop the pipeline to start getting tribal citizens interested in oral health and health care career.
- Develop opportunities for students to train on the reservation through internships or externships.
- Recruit into careers by funding scholarships and loan forgiveness programs.
- Coordination of care
- Expand types of service and practitioners that can work within the reservations e.g. Community Health Worker or Dental Health Therapist Program.

Ms. Frias will be sharing the full report as soon as it is released for distribution.

Ms. Joshweseoma mentioned the Mission of Mercy Dental Event that took place on December 11 – 12, 2015 at the Arizona State Fair Grounds and that it might be an excellent initiative for the Native American Community. Mr. Allison proposed that the AAIOHI SEC begin

advocating for a Native American Mission of Mercy Program and try to tap into the same resources and funding streams to determine if there is a tribe interested in piloting that initiative.

Section 1115 Waiver Updates

Ms. Russell provided a handout provided by AHCCCS, (Arizona's 1115 Waiver Tribal Workgroup Background Information). AHCCCS has submitted their waiver to CMS and there are three areas specific to Native American People:

1) Uncompensated Care

The purpose of the workgroups is to:

- Review the methodology and data used to create the existing PMPM
- Evaluate requests to modify the methodology to reflect current costs, utilization and service delivery.

2) American Indian Medical Home

The purpose of the workgroup is to:

- Develop further details regarding the proposal for the American Indian Medical Home, including oversight and implementation processes.

3) Traditional Healing

The purpose of the workgroup is to develop service parameters to include the following:

- what services will be included
- what services will be covered and not covered
- what kind of qualified providers will provide the services

CMS Policy Change on 100% FMAP

Ms. Cynthia Lemesh reported that CMS has not issued anything formal at this time and there are no updates to share at this point, but it is forthcoming.

Ms. Montiel stated the ITCA did provide comment to CMS on the 100% Federal Medical Assistance Percentage (FMAP). ITCA understands that the State utilizes the 100% FMAP pass through to reimburse the Tribes and IHS, but it should also include the Urban Programs which it does not do right now. Furthermore, the rates should not be reduced at the state level.

ACOIHHC Budget Overview

Ms. Russell provided a copy of a Memorandum of Understanding (MOU) between the Advisory Council on Indian Health Care and the Arizona Department of Health Services (ADHS) for review. The ACOIHHC is at midpoint into the fiscal year and since their office relocated to its current location in September 2015, there is savings in the ACOIHHC Budget of approximately \$30,000 because the ADHS is not charging any rent. The ACOIHHC MOU with ADHS will terminate on June 30, 2016. Ms. Russell will meet with the Arizona Department of Administration to identify another possible office location within state government.

The ACOIHC has allocated \$5,000 to identify a grant writer consultant for the San Carlos Apache Tribe Pathways into Health Project and if any tribe has a project that falls in line with the ACOIHC priorities and need a consultant please contact us.

Memorandums of Understanding

Ms. Russell provided a copy of the Memorandum of Understanding between the AAIOHI and the ACOIHC.

Mr. Allison motioned to authorize Ms. Russell to sign the MOU with edits and Ms. Joshweseoma seconded the motion. All approved unanimously.

Call to the Public – None

Announcements

- Indian Nations and Tribal Legislative Day will be on January 19, 2016.
- On February 2, 2016, stakeholders will have an opportunity to provide a brief presentation for before the House of Representatives Health Committee on the CHR Movement initiatives; the voluntary CHR certification and potential reimbursement from AHCCCS.
- The next CHR Movement meeting will be on February 12, 2016 from 10:00 a.m. – 12:00 p.m.
- The next NIHB Conference will be held in Scottsdale, AZ the first week in October 2016 and they need a local planning committee. The first planning committee meeting will be on January 20, 2016. The NIHB has asked the Phoenix Area to bring forth local issues and concerns, provide input on the agenda and to work with partners of the three states.

Next Meeting Date

February 1, 2015 from 9:00 a.m. – 12:00 p.m.

Agenda Items

Update on the practices of States that do TANF eligibility.

Adjournment

Ms. Joshweseoma motioned to adjourn the meeting and Mr. Allison seconded the motion. All unanimously approved. Meeting ended at 12:00 p.m.