



## **2009 Annual Conference Tacoma, Washington**

### **RESOLUTION #09 - 69**

**"IN SUPPORT OF APPROPRIATE ACCESS TO INDIAN HEALTH SERVICE HELD DATA FOR INDIAN HEALTH SERVICE FUNDED EPIDEMIOLOGY CENTERS, TRIBES AND TRIBAL ORGANIZATIONS"**

### **PREAMBLE**

We, the members of the Affiliated Tribes of Northwest Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

**WHEREAS**, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific Tribal concerns; and

**WHEREAS**, the ATNI is a regional organization comprised of American Indians in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

**WHEREAS**, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of ATNI; and

**WHEREAS**, the Indian Health Service (IHS) has legislative authority to establish a national network of Tribal Epidemiology under section 214(a)(1) of the Indian Health Care Improvement Act (P.L. 94-437) and has consistently funded these Tribal Epidemiology Centers to provide public health surveillance and to develop community profiles of the Tribal communities they serve; and

**WHEREAS**, in carrying out these functions on behalf of the IHS under funds appropriated to the IHS these grantees are in fact public health entities as defined in the Privacy Act and are subject to provisions of the Health Insurance Portability and Accountability Act (HIPAA); and

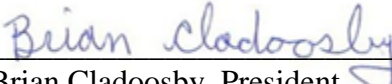
**WHEREAS**, after fifteen years of grant funding by the IHS to Tribal Epidemiology Centers specifically to carry out these functions, the IHS has yet to establish a functional process for providing appropriate access to IHS controlled protected health information necessary to carry out these functions; and


**WHEREAS**, this continuing failure has limited the realization of the full potential of all Tribal Epidemiology Centers and more importantly limited the self awareness of Tribal Governments as well as individual American Indians and Alaska Native of their true health status and the health risks to which they are exposed; now

**THEREFORE BE IT RESOLVED**, that ATNI hereby recommends that within one year of passage of this resolution, that the IHS address this long standing deficiency by finalizing and releasing a standardized Data Sharing Agreement that provides for routine and special access to HIPAA defined Protected Health Information to each IHS funded Tribal Epidemiology Center and the subsequent transfer of the agreed data sets.

#### **CERTIFICATION**

The foregoing resolution was adopted at the 2009 Annual Conference of the Affiliated Tribes of Northwest Indians, held at the Greater Tacoma Convention & Trade Center in Tacoma, Washington on September 21 - 24, 2009 with a quorum present.

  
\_\_\_\_\_  
Brian Cladoosby, President

  
\_\_\_\_\_  
Norma Jean Louie, Secretary