



2014 Winter Convention Ferndale, WA

RESOLUTION #14 - 10

“SUPPORT TO EXPAND MEDICARE-LIKE RATES TO NON-HOSPITAL BASED SERVICES”

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, Executive Orders, 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 to 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, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes 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 the ATNI; and

WHEREAS, the mission of the ATNI supports activities designed to prevent and reduce adverse health conditions and health disparities in Native American communities; and

WHEREAS, the Medicare Modernization Act of 2003 (Section 506) established a payment rate cap on Purchased and Referred Care (PRC) payments made to Medicare-participating hospitals that require Medicare participating hospitals to accept payment rates no more than what Medicare would pay for the same service, also known as Medicare-Like Rates; and

WHEREAS, in 2007, the Centers for Medicare and Medicaid Services (CMS) promulgated regulations at 42 C.F.R. 136.30 that do not apply to physician and other providers that are not associated with Medicare participating hospitals; and

WHEREAS, on April 11, 2013, the Government Accounting Office (GAO) issued a report finding that the Department of Veterans Affairs and Department of Defense have imposed a rate cap on non-hospital services and recommended that Congress should consider imposing a cap on payments for physician and other non-hospital services made through IHS' PRC program that is consistent with the rate paid by other federal purchasers of health care; and

WHEREAS, the GAO report found that the Indian Health Service (IHS) PRC program continues to pay full billed charges for non-hospital services, resulting in the needless waste of taxpayer dollars and scarce PRC resources and recommended expanding Medicare-like rates to non-hospital based services would save the federal government (IHS) hundreds of millions of dollars and is completely budget neutral; and

WHEREAS, PRC programs continue to be chronically underfunded and unable to pay for all eligible services and expanding Medicare-like rates to non-hospital based services would save IHS and Tribal PRC programs hundreds of millions of dollars; and

WHEREAS, legislation is needed to expand Medicare-like rates consistent with the GAO recommendations; now

THEREFORE BE IT RESOLVED, that ATNI recommends that the HHS Secretary, HHS Office of Legislation, and the Indian Health Service Director pursue legislation through the A-19 legislative process to expand Medicare-like rates to non-hospital based services and to also support similar legislation introduced by Congress; and

BE IT FURTHER RESOLVED, that ATNI support and urge Congress to introduce and enact legislation that would expand Medicare-like rates to all non-hospital services purchased through the IHS Contract Health Service program; and

BE IT FINALLY RESOLVED that ATNI recommends the HHS Secretary direct CMS to promulgate regulations to implement this new authority within one year of enactment of the legislation.

CERTIFICATION

The foregoing resolution was adopted at the 2014 Winter Convention of the Affiliated Tribes of Northwest Indians, held at Silver Reef Hotel Casino Spa, Ferndale, WA on February 17 - 20, 2014, with a quorum present.

Fawn Sharp, President

Norma Jean Louie, Secretary