



JUNE 17 2022

Dear Tribal Leader:

I am writing to initiate Tribal Consultation on how to evaluate health care facilities construction demonstration project proposals. As part of the Patient Protection and Affordable Care Act, the Indian Health Care Improvement Act (IHCIA) contains new provisions on health care facility construction demonstration projects. This authority affords an opportunity for the Indian Health Service (IHS) to test alternative models of care through unique funding arrangements with Tribes and Tribal Organizations.

The IHCIA at Title 25 USC §1637(a)(1), “Indian Health Care Delivery Demonstration Projects,” encourages the IHS to establish demonstration projects to test alternative means of delivering health care or to use alternative or innovative methods or models of delivering health care services.

The IHCIA Health Care Facility provisions provide this authority and broad evaluation criteria. To ensure that the IHS considers your interests, please address the following questions. Your recommendations will contribute to the development of the Indian Health Care Delivery Demonstration Projects policy.

1. The Fiscal Year (FY) 2023 President’s Budget proposes \$10 million for mid-sized ambulatory demonstration projects. How should the IHS define mid-sized?
2. The IHCIA provides a number of terms to evaluate demonstration projects. The IHS is proposing the following definitions of these terms. Please comment on how the IHS proposes to define these terms or suggest how the terms should be defined. To review the language of the demonstration project authority in the IHCIA follow this link: [https://uscode.house.gov/view.xhtml?req=\(title:25%20section:1637%20edition:prelim\)%20OR%20\(granuleid:USC-prelim-title25-section1637\)&f=treesort&edition=prelim&num=0&jumpTo=true](https://uscode.house.gov/view.xhtml?req=(title:25%20section:1637%20edition:prelim)%20OR%20(granuleid:USC-prelim-title25-section1637)&f=treesort&edition=prelim&num=0&jumpTo=true).
 - a. Alternative or Innovative Methods (Title 25 USC §1637(a)(1)(B)). The IHS proposes defining this to mean alternative or innovative methods or models of delivering health care services; and/or delivering health care in a location other than a health facility, for example, storefront, community center, or partnering with another health care provider in an IHS facility.
 - b. Alternative Means (Title 25 USC §1637(a)(1)(A)). The IHS proposes defining this to mean using an authority that has not been developed by the IHS, for example, Dialysis, Long-Term Care, Inpatient Mental Health, or Special Referral Centers.
 - c. Significant number of Indians (Title 25 USC §1637(c)(2)(A)(ii)). How many users should the IHS consider to be a “significant number of Indians?”
 - d. Improve access (Title 25 USC §1637(c)(3)(A)). The IHS proposes defining this to mean providing a 25 percent increase in the number of IHS-eligible users, or a 10 percent increase in workload.

- e. Increased efficiency (Title 25 USC §1637(c)(2)(A)(i)). How would Tribes and Tribal Organizations define “objective measurements?”
3. Demonstration projects could potentially include both service delivery projects and construction projects. Should the IHS limit solicitations to construction projects?
4. Should the IHS limit demonstration projects solely to the five new authorities: Dialysis; Long-Term Care clinical; Long-Term Care non-clinical; Inpatient Mental Health; and Special Referral Centers, or should the IHS consider any “alternative or innovative” project?
5. What relationship should the facilities have with potential partners (such as state, local, Tribal, and private health care agencies)?

WRITTEN COMMENTS AND RECOMMENDATIONS: I would also like to encourage Tribal Leaders to e-mail comments and recommendations by the Consultation comment deadline of **Friday, August 5, 2022**.

- Please **E-MAIL** your comments to:

consultation@ihs.gov; SUBJECT LINE: Demonstration Authority Tribal Consultation

- Or send your comments by **POSTAL MAIL** to:

Ms. Elizabeth A. Fowler
Acting Director
Indian Health Service
5600 Fishers Lane, Mail Stop: 08E37A
Rockville, MD 20857

SUBJECT: Demonstration Authority Tribal Consultation

Thank you for your recommendations and guidance on this very important criteria development.

Sincerely,

/Elizabeth A. Fowler/
Acting Director