



MAY 12 2010

Dear Tribal Leader:

On behalf of the Department of Health and Human Services (HHS) and the Indian Health Service (IHS), we are writing to initiate a formal Tribal consultation on implementation of the recent reauthorization of the Indian Health Care Improvement Act (IHCIA) and the Indian specific provisions in the new health reform law, the Patient Protection and Affordable Care Act, P.L.111-148, that was signed on March 23, 2010. Numerous provisions in this important piece of legislation will impact American Indian and Alaska Native individuals, Tribes, and our health facilities. We are at the beginning of an enormous amount of implementation work that is going to positively impact the lives of the people we serve over the coming weeks, months and years.

According to HHS and IHS Tribal consultation policies, consultation with Tribes should occur when there is a "critical event," such as a new law or policy that may impact Tribes. Clearly, the passage of the Affordable Care Act, which included the long-awaited reauthorization of the IHCIA, represents a critical event requiring Tribal consultation. We look forward to partnering with you on our implementation process.

As we work quickly to review every provision in the law that applies to Indian Country and assess next steps and a timeline, we would like to invite your input on how we implement the numerous provisions in the law. To help provide information on these new provisions, we have attached two tables: the first table summarizes provisions in the health reform law that impact Indian Country directly; and the second table summarizes the main provisions in the IHCIA. We hope that you find these tables helpful and informative. We have also included a fact sheet on how the new laws benefit American Indians and Alaska Natives.

From the provisions outlined in the attached tables, we need your help in identifying priorities for implementation efforts here at HHS. While some new programs and regulations will be implemented according to the timelines specified in the law, we would like your advice and guidance on other implementation priorities.

We would also like your input on how to consult with Tribes on an ongoing basis as the various provisions are implemented. We need to establish a mechanism to consult with Tribes in a meaningful way without delaying the implementation process and your access to new programs and services. Some have recommended that we have an open, ongoing consultation process where Tribes can comment in writing or through attending meetings or listening sessions. Others have recommended that we convene a workgroup with Tribal representatives from each Area to advise us on an ongoing basis. Suggestions are to either convene a new workgroup, or utilize the IHCIA Reauthorization Steering Committee that has advised us on this legislation over the years. We are interested in your comments on how to effectively and meaningfully consult with Tribes as we implement the provisions that impact Indian Country.

For this initial round of consultation, please send your recommendations to Dr. Yvette Roubideaux in writing to the address listed below, or to the email address consultation@ihs.gov by **July 1, 2010**. However, we encourage you to send in your comments as soon as possible to help us keep moving forward with the implementation process. We plan to continue to ask for your input over time, and the purpose of this first request is to get your initial impressions and recommendations as we start the implementation process.

Thank you for all that you do to improve the health of your communities. We look forward to working with you on the implementation of the Affordable Care Act and the reauthorization of the IHCA.

Sincerely,

/Paul Dioguardi/

Paul Dioguardi
Director
Health and Human Services
Intergovernmental Affairs

/Yvette Roubideaux/

Yvette Roubideaux, M.D., M.P.H.
Director
Indian Health Service

Send recommendations in writing by July 1, 2010 to:

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Indian Health Service
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Rockville, MD 20852

Or by email to: consultation@ihs.gov

Enclosures: Affordable Care Act Summary Table
IHCA Reauthorization Summary Table
Fact Sheet