Successful Connections – Lasting Partnerships

Tribal Self-Governance works. It creates opportunities for Tribes to exercise administratively their inherently sovereign powers, with minimal federal oversight and involvement. To support the Indian Health Service (IHS) Self-Governance activities, the Office of Tribal Self-Governance (OTSG) is committed to providing resources and technical assistance to Tribes and Tribal organizations for the implementation of Tribal Self-Governance.
Eligibility for the IHS Tribal Self-Governance Program

To be eligible to participate in the Tribal Self-Governance Program (TSGP), a Tribe must:

1. **Complete a Planning Phase**
   Each Tribe is required to complete a planning phase to the satisfaction of the Tribe. This planning phase must include legal and budgetary research and internal Tribal government planning and organizational preparation relating to the administration of health care programs. Funding may be available from the IHS to assist Tribes in the planning phase through TSGP Planning Cooperative Agreements.

2. **Request Participation in the IHS Tribal Self-Governance Program**
   Each Tribe to be served must submit a Tribal resolution or other official action by the governing body of the Tribe requesting participation in the TSGP.

3. **Demonstrate Three Years of Financial Stability and Financial Management Capability**
   For the three years prior to participation in the TSGP, the Tribe must show evidence that there have been no uncorrected significant and material audit exceptions in the required annual audit of the Tribe’s Self-Determination Contracts or Self-Governance Funding Agreements with any Federal agency.

A Tribe may also choose to authorize another Indian Tribe, an inter-Tribal consortium, or a Tribal Organization to participate in the TSGP on its behalf (see 25 U.S.C. §458aaa(b)). For additional information on eligibility for the TSGP, please see Section 503 of the Indian Self-Determination and Education Assistance Act (ISDEAA), 25 U.S.C. §458aaa-2, and the accompanying regulations found at 42 C.F.R. §§137.15–26.
Tribal Self-Governance Produces Results

The results are in—the Indian Health Service (IHS) Tribal Self-Governance Program (TSGP) has proven to have a significant positive impact on the health and well-being of participating Tribal communities. The TSGP produces results because Tribal communities are in the best position to understand and address their own health care needs and priorities. Through the TSGP, Tribes continue to develop innovative solutions that address the health care delivery challenges facing their communities. Some of the TSGP’s many successes include the following:

- Improved and expanded services through collaboration between Tribal governments, the IHS, and other Federal, state, and local resources.
- New services and programs improving access to care in remote areas through advanced technologies (such as telemedicine) or training programs in allied health fields.
- Improved wellness and prevention programs.
- Enhanced chronic disease management programs for diabetes through home health and transportation services.
- New services and programs improving access to care in remote areas through advanced technologies (such as telemedicine) or training programs in allied health fields.

Office of Tribal Self-Governance

The Office of Tribal Self-Governance (OTSOG) was established to implement Tribal Self-Governance legislation and authorities within the IHS, beginning with the Tribal Self-Governance Feasibility Study authorized in 1991. Since that time, the OTSG has implemented the Tribal Self-Governance Demonstration Project, development of a permanent Tribal Self-Governance Program, as authorized by Title V of the Indian Self-Determination and Education Assistance Act (ISDEAA), and promulgation of Title V regulations. Today, OTSG provides information, technical assistance, and policy coordination in support of IHS Self-Governance activities and serves as an advocate for Tribal concerns regarding the delivery of health care.

The OTSG is responsible for a wide range of Agency functions that are critical to IHS’ relationship with Tribes, Tribal Organizations, and other American Indian and Alaska Native groups. In all its activities, the OTSG supports the four IHS priorities: to renew and refocus the IHS on its mission; to improve access to care for American Indian and Alaska Native Tribes in IHS Tribal Self-Governance activities; to ensure that IHS is fair, transparent, accountable, and inclusive.

The OTSG supports the activities of the IHS Director’s Tribal Self-Governance Advisory Committee (TSGAC).

- Collaborating with Tribal and Federal partners to address crosscutting issues and processes, including budget formulization; self-determination issues; Tribal shares methodologies; resolution of audit findings; and emergency preparedness, response, and security.

For more information about the IHS Tribal Self-Governance Program, please contact the Office of Tribal Self-Governance:

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Rockville, MD 20852
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Fax: (301) 443-7821
www.ihs.gov/SelfGovernance

Tribal Self-Governance Legislation

1991
Tribal Self-Governance Demonstration Project
(Pub. L. No. 102-184), IHS authorized to negotiate Compacts with Tribes, gave Tribes more flexibility in operation of programs.

1992
Technical Amendments to Title III Section 301 and Section 302(a)
(Pub. L. No. 102-573), IHS authorized to negotiate Compacts with Tribes, gave Tribes more flexibility in operation of programs.

1993
Self-Governance Authority Extended to IHS
(Pub. L. No. 103-435), IHS authorized to negotiate Compacts with Tribes through the Tribal Self-Governance Demonstration Project; gave Tribes more flexibility in operation of programs.

1994
Tribal Self-Governance Demonstration Project
(Pub. L. No. 103-435), IHS authorized to negotiate Compacts with Tribes, gave Tribes more flexibility in operation of programs.

2000
Title V
(Pub. L. No. 108-203), extended Tribal Self-Governance Demonstration Project to 18 years; new provisions for Indian Health Care Reform.

2002
Title V Regulations
(42 C.F.R. Part 137), Tribal Self-Governance Regulations promulgated to implement Title V.

2010
Patient Protection and Affordable Care Act
(Pub. L. No. 111-148), permanently, retroactively, and expanded the IHS/Indian Self-Determination and Education Assistance Act (ISDEAA) to include American Indian and Alaska Native Tribes in IHS Tribal Self-Governance activities.

No right to more access to a nation, to a people, than the right to freely determine its own economic, political, and cultural future without external interference.

The fulfillment of this right occurs when a nation freely governs itself.

— Joseph R. DeLoria
(United Indian Nation)
Successful Connections – Lasting Partnerships