



**USET Resolution No. 2009:060**

**SUPPORT OF THE AMERICAN INDIAN AND ALASKA NATIVE PROVISIONS IN THE  
HEALTH CARE REFORM LEGISLATION**

- WHEREAS,** United South and Eastern Tribes Incorporated (USET) is an intertribal organization comprised of twenty-five (25) federally recognized Tribes; and
- WHEREAS,** the actions taken by the USET Board of Directors officially represent the intentions of each member Tribe, as the Board of Directors comprises delegates from the member Tribes' leadership; and
- WHEREAS,** the USET members of the Board of Directors are working for the best interest of their Tribal Governments, and their members, to protect, promote, and enhance opportunities for their people; and
- WHEREAS,** USET member Tribes have always maintained that a government-to-government relationship exists between the Federal Government and federally recognized Indian Tribes; and
- WHEREAS,** this unique relationship requires the Administration to consult with Indian Tribes on any policy and/or legislative matters that impact or may potentially impact Tribal communities, including health care reform policies and legislation; and
- WHEREAS,** health care reform continues to command high level attention with the Obama Administration and Congress; and
- WHEREAS,** it is imperative that Indian Country be proactive and involved in the development of any health care reform legislation and have a seat at the table in the advancement of any reform efforts; and
- WHEREAS,** it is vital that the Obama Administration and the Congress assure all health care reform proposals acknowledge and reflect the Federal Government's trust responsibility to provide health care to American Indians/Alaska Natives (AI/AN), as expressly recognized in Federal law and policy; and
- WHEREAS,** health care reform proposals must assure the unique Indian health care system created by the Federal government to carry out its trust responsibility is not adversely impacted, and, indeed, is strengthened and enhanced by reform efforts; and
- WHEREAS,** the following principles are provided as essential recommendations to the Administration and Congress to include in health reform legislation so it reaches AI/AN people:
- 1) Exemption of AI/AN from any financial penalty;
  - 2) Tribal Governments to be held on parity with State Governments in regards to financial penalties;
  - 3) Eligibility of AI/AN in any insurance subsidies programs;
  - 4) Prohibit cost-sharing (including premiums, deductibles, copayments, co-insurance, etc.) for AI/ANs;
  - 5) Protection for Indian health providers to receive payments for the services they provide for Indian people to use Indian health providers without penalty;
  - 6) Exclusion of tribally provided health benefits as taxable income;
  - 7) The reauthorization of the Indian Health Care Improvement Act; and

- 8) The extension of the Federal Tort Claims Act authority to cover the Indian health system when providing services to non-Indians; and
- 9) Ensure Tribal Governments have access to the "Exchange" allowing Tribes to purchase insurance at competitive prices.

**WHEREAS,** Indian Tribes, as sovereign governments, must be granted maximum decision-making options in health care reform legislation; therefore; be it

**RESOLVED** the USET Board of Directors supports the Obama Administration and Congress' fundamental concept that a comprehensive stable and affordable health care system is essential to restore all Americans to a healthy status; and, be it further

**RESOLVED** the USET Board of Directors urges the Obama Administration and Congress to support and include the aforementioned principles in any health insurance reform bill that is passed; and, be it further

**RESOLVED** with the inclusion of the aforementioned principles, USET supports the President's goal of health care reform.

**CERTIFICATION**

This resolution was duly passed at the USET Annual Meeting, at which a quorum was present, in Hollywood, FL, on Thursday, October 29, 2009.



Brian Patterson, President  
United South and Eastern Tribe, Inc.



Robert McGhee, Secretary  
United South and Eastern Tribes, Inc.

*"Because there is strength in Unity"*