USET Resolution No. 2006:026

SUPPORT FOR MEDICAID REIMBURSEMENT ACROSS STATE BORDERS

WHEREAS, United South and Eastern Tribes, Incorporated (USET) is an intertribal organization comprised of twenty-four (24) 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 member Tribes are located in twelve states from northern Maine, south to Florida and west to Texas; and

WHEREAS, it is the priority of the USET member Tribes to provide the best and most culturally appropriate health care possible to their tribal members; and

WHEREAS, many times the best and most culturally appropriate health care is available in states other than where a particular Tribe is located; and

WHEREAS, state Medicaid programs will cover the cost of health care services provided to eligible American Indian/Alaska Native (AI/AN) people at no cost to the state because of the 100% Federal Medical Assistance Percentage (FMAP); and

WHEREAS, the 100% FMAP allows states to be reimbursed by the federal government, specifically the Centers for Medicare and Medicaid Services (CMS), for the cost of services provided to eligible AI/AN people; and

WHEREAS, Tribes are required to utilize Contract Health Service (CHS) funds to pay for health care services for those AI/AN people who are ineligible for Medicaid within their states; and

WHEREAS, the CHS funding that is utilized to pay for health care provided off reservation is not available based upon actual need and for many years has been severely under-funded; and

WHEREAS, Tribes have to be extremely prudent with their CHS funding and should be allowed to bill Medicaid for services provided to eligible AI/AN people in states other than where they are located to help preserve valuable CHS dollars; and

WHEREAS, facilities, such as the Unity Regional Youth Treatment Center (RYTC), which was established in accordance with the Indian Health Care Improvement Act, to provide alcohol/substance abuse treatment services to all eligible AI/AN youth located in the Nashville Area of the Indian Health Service, need to have the ability to bill Medicaid in states other than North Carolina; and

WHEREAS, the ability to bill Medicaid across state borders is needed to assist Tribes and the RYTC to continue to strengthen their respective health care delivery systems by maximizing collections; therefore, be it

RESOLVED that the USET Board of Directors respectfully requests the support of CMS to assist Tribes and RYTC’s to obtain the ability to bill across state borders; and, be it further

RESOLVED that the USET Board of Directors also requests that any reimbursement received for a Medicaid eligible service provided to a Medicaid eligible AI/AN person be entitled to the

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100% FMAP for the AI/AN persons state of residence; and, be it further

RESOLVED that the USET Board of Directors further requests that CMS work with the USET Executive Director to schedule a mutually agreeable date and time to discuss this important issue.

CERTIFICATION

This resolution was duly passed at the USET Impact Week, at which a quorum was present, in Arlington, VA, Thursday, February 10, 2005.

Keller George, President
United South and Eastern Tribes, Inc.

Eddie L. Tullis, Secretary
United South and Eastern Tribes, Inc.