



January 16, 2017

Senator Jeff Flake  
Senate Russell Office Building 413  
Washington, DC 20510

Senator Orrin Hatch  
104 Hart Office Building  
Washington, DC 20510

Senator Martin Heinrich  
303 Hart Senate Office Building  
Washington, DC 20510

Senator Mike Lee  
361A Russell Senate Office Building  
Washington, DC 20510

Senator John McCain  
218 Russell Senate Office Building  
Washington, DC 20510

Senator Tom Udall  
531 Hart Senate Office Building  
Washington, DC 20510

Representative Ben Lujan  
2231 Rayburn HOB  
Washington, DC 20515

Representative Tom Cole  
2467 Rayburn HOB  
Washington, DC 20515

Representative Tom O'Halleran  
PO Box 20375  
Sedona, AZ 86341

Messers:

On behalf of the Navajo Nation, the largest land based tribe in the United State, I am requesting your support to retain the Indian Healthcare Improvement Act (IHICIA) and preserve the Patient Protection and Affordable Care Act (ACA). The Navajo Nation administers, through federal contracts, critical health services to our children, elders, and families living on the rural communities of the Navajo Nation. Repealing IHICIA would have a disastrous effect on the 330,000 (332,129) Navajo tribal members across the country. As you know, the provisions within IHICIA are a bipartisan result of years of negotiation and meetings between Tribes and Congress. Today, I strongly urge you to ensure the IHICIA is preserved for the tribal members of the Navajo Nation.

**Critical IHICIA Provisions:**

In 2010, IHICIA was permanently enacted as part of the ACA (Section 10221) and serves as the foundation of Indian Health Service (IHS)/Tribal/and Urban Indian (collectively known as the I/T/U) health system which provides healthcare services for AI/ANs across the country. IHICIA has provided remarkable progress within the I/T/U system as follows:

- Updates and modernizes health services such as cancer screenings, home and community based services, hospice care, and long-term care for the elderly and disabled.
- Integrates critical behavioral health programs to address alcohol and substance abuse problems, mental health needs, and social services to better meet the needs of Indian people.

- Authority for I/T/U health providers to be licensed in any state and practice at an I/T/U facility.
- Authorizes IHS and Tribes to enter into agreements with the Department of Veterans Affairs and Department of Defense to share medical facilities and services.
- Allows I/T/U providers to be eligible for participation in any federal healthcare program and reimbursement from 3<sup>rd</sup> party payers

**Critical ACA Provisions:**

There are other provisions within the ACA that I strongly believe must remain viable in order to continue essential health care services to the Navajo Nation. They are as follows:

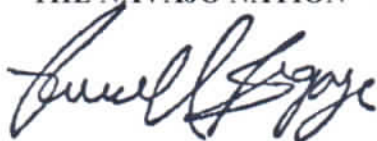
- Section 2901 which states that any I/T/U must be the payer of last resort for services provided notwithstanding any Federal, State, or local law to the contrary.
- Section 2902 which grants I/T/U providers permanent authority to collect reimbursements for all Medicare Part B services.
- Section 9021 ensures that any health benefits provided by a Tribe to its members are not included as taxable income.
- Medicaid Benefits for AI/ANs. Under current law, the federal government reimburses States for 100 percent of the cost of providing Medicaid services to AI/ANs. Any plan to change the manner in which State Medicaid costs are reimbursed by the federal government must include a carve out for services provided to AI/ANs so that the federal government's trust responsibility is not shifted to the States.

As you consider a path forward on healthcare reform, we urge you to ensure that this law is preserved. Today, healthcare equality is more important than ever for cost efficiency, improved quality of life, and tribal sovereignty. Repealing these provisions and the IHCA would jeopardize the lives of Navajo Nation tribal members who rely on these Indian healthcare systems.

Thank you for your efforts to improve healthcare services on the Navajo Nation. We look forward to working with you during the 115<sup>th</sup> Congress. For further information or to schedule a follow up meeting, please contact our Navajo Nation Washington Office, Mr. Jackson Brossy, Executive Director at (202) 682-7390, or email at [jbrossy@nnwo.org](mailto:jbrossy@nnwo.org).

Respectfully,

**THE NAVAJO NATION**



Russell Begaye, *President*



Jonathan M. Nez, *Vice President*

CC: National Indian Health Board