



The 22nd Navajo Nation Council — Office of the Speaker

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Navajo Council members, Tuba City hospital urge Centers for Medicare, Medicaid to respect tribal sovereignty

Request support for tribal exemption within Arizona Demonstration Waiver

WINDOW ROCK, Ariz. — The Health, Education & Human Services Committee of the Navajo Nation Council, in collaboration with the Tuba City Regional Health Care Corporation, is urging the Centers for Medicare and Medicaid Services to respect tribal sovereignty.

Legislation No. 0400-11, sponsored by Navajo Councilman Joshua Lavar Butler (To'Nanees'Dizi), was passed by the committee on September 28. The legislation urges the Centers for Medicare and Medicaid Services (CMS) to support a tribal exemption within the Arizona Demonstration Waiver, which will allow tribal sovereignty to be upheld and to allow the continuance of the federal government's responsibility to reimburse Medicaid and Medicare services to eligible Navajos in the state of Arizona.

According to Joseph Engelken, chief executive officer for the Tuba City Regional Health Care Corporation, the CMS administers federal Medicaid, which is a public health insurance program for low-income, disabled families and individuals. In Arizona, Medicaid is referred to as the Arizona Health Care Cost Containment System (AHCCCS). By law, the CMS must reimburse 100 percent of Medicaid services provided to federally-recognized tribal members by the Indian Health Services (IHS) or a tribally-operated facility with 93-638 Tribal Title V Self-Governance status.

Engelken also explained the Arizona's Medicaid program helps IHS and tribal healthcare facilities by reimbursing the costs of primary, special and hospital care. These costs are some of the most expensive for Navajos and other tribal members in the state. As a result, the state of Arizona and its AHCCCS program want to ensure the reimbursement structure remains a federal responsibility.

In March, the state of Arizona requested approval of a five-year plan from the CMS to address all Medicare and AHCCCS service reimbursement requirements, as well as a request that American Indians continue to receive full federal funding for covered treatment at IHS and tribal '638 facilities.

"I am glad to see the Navajo Nation taking a firm stance on this issue," Councilman Butler said. "This issue does not only hurt the Navajo Nation, but all tribes within the state of Arizona. It is certainly a national issue that is already causing the loss of millions of dollars for IHS and tribal facilities. We need to continue to fight for healthcare of our Native people and to protect reimbursement for eligible beneficiaries -- we need to remind the federal government of their trust responsibility to provide for the health of American Indians who are members of federally recognized tribes."

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