



# TRIBAL HCBS

States and AAAs working with Tribal Nations

## **Tribal Initiative: Where to Start?** **Developing LTSS with and for American Indians and Alaska Natives**

HCBS Conference – December 8

# Tribal Initiative: Where to Start?

## Developing LTSS with and for American Indians and Alaska Natives

- States, tribes and Area Agencies on Aging often struggle to develop a working knowledge of tribal sovereignty, treaty rights and contracting requirements to implement successful LTSS with tribal nations.
- Join state and tribal representatives to learn a variety of successful approaches and adaptations as a result of COVID-19. Panelists will share how to identify needs, solutions and programming to decrease health disparities and improve the health of American Indians/Alaska Natives.



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**Money Follows the  
Person Tribal Initiative**

# Money Follows the Person Tribal Initiative

## Goals

- Transition eligible and interested tribal members from institutional settings back to their communities.
- Expand the leadership role of tribes in the design and operations of Medicaid funded programs tailored for tribal members.

## Values

- Promote government-to-government relations
- Enhance tribal infrastructure
- Increase access to needed services
- Address disparities
- Design and implement effective programs
- Maximize fiscal resources

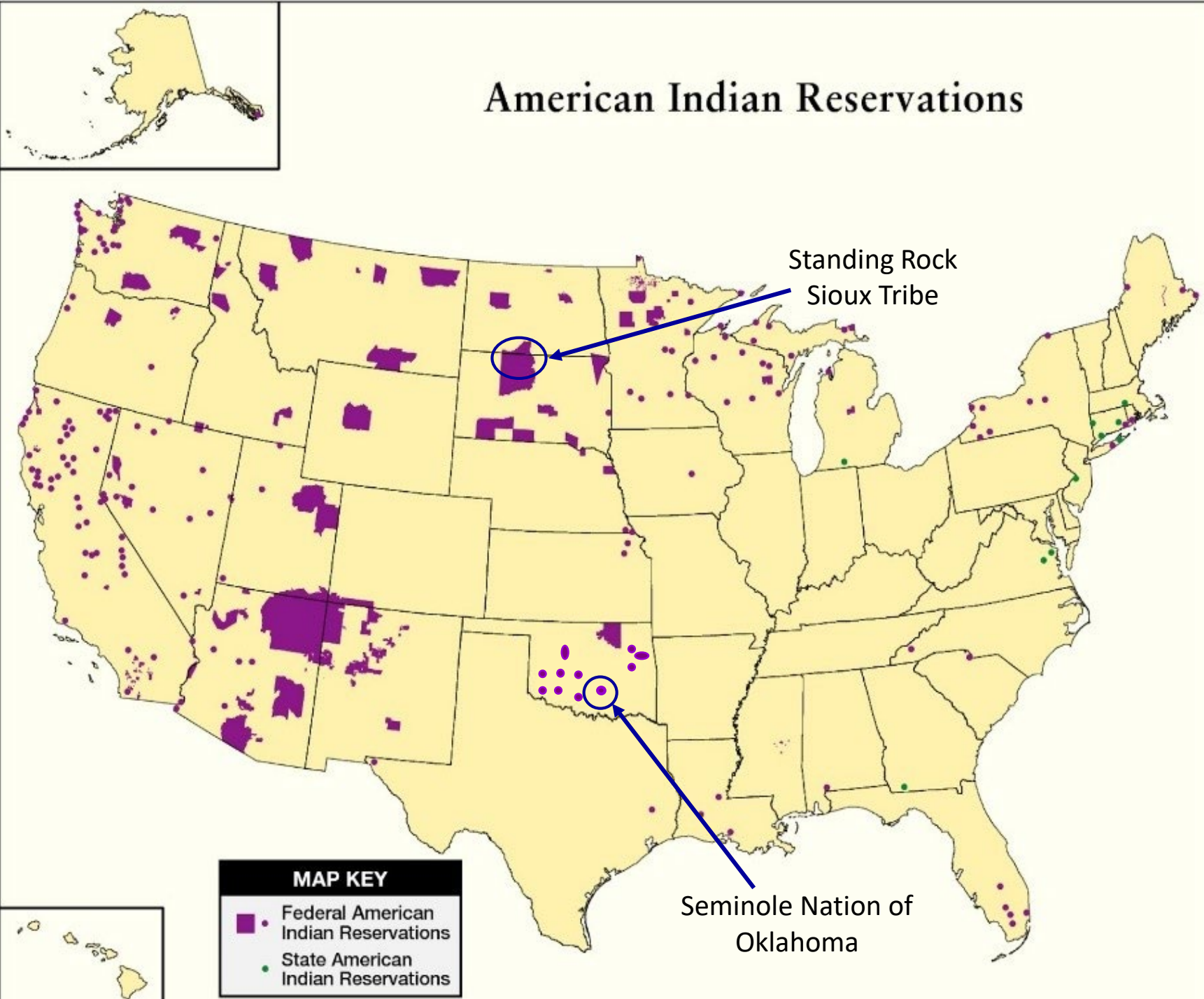


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# Standing Rock Sioux Tribe

# American Indian Reservations



## Panelist: Petra Harmon One Hawk, MPH

Title VI Director  
Standing Rock Sioux Tribe  
North Dakota & South Dakota





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**Wisconsin State**  
**Gail Nahwahquaw**



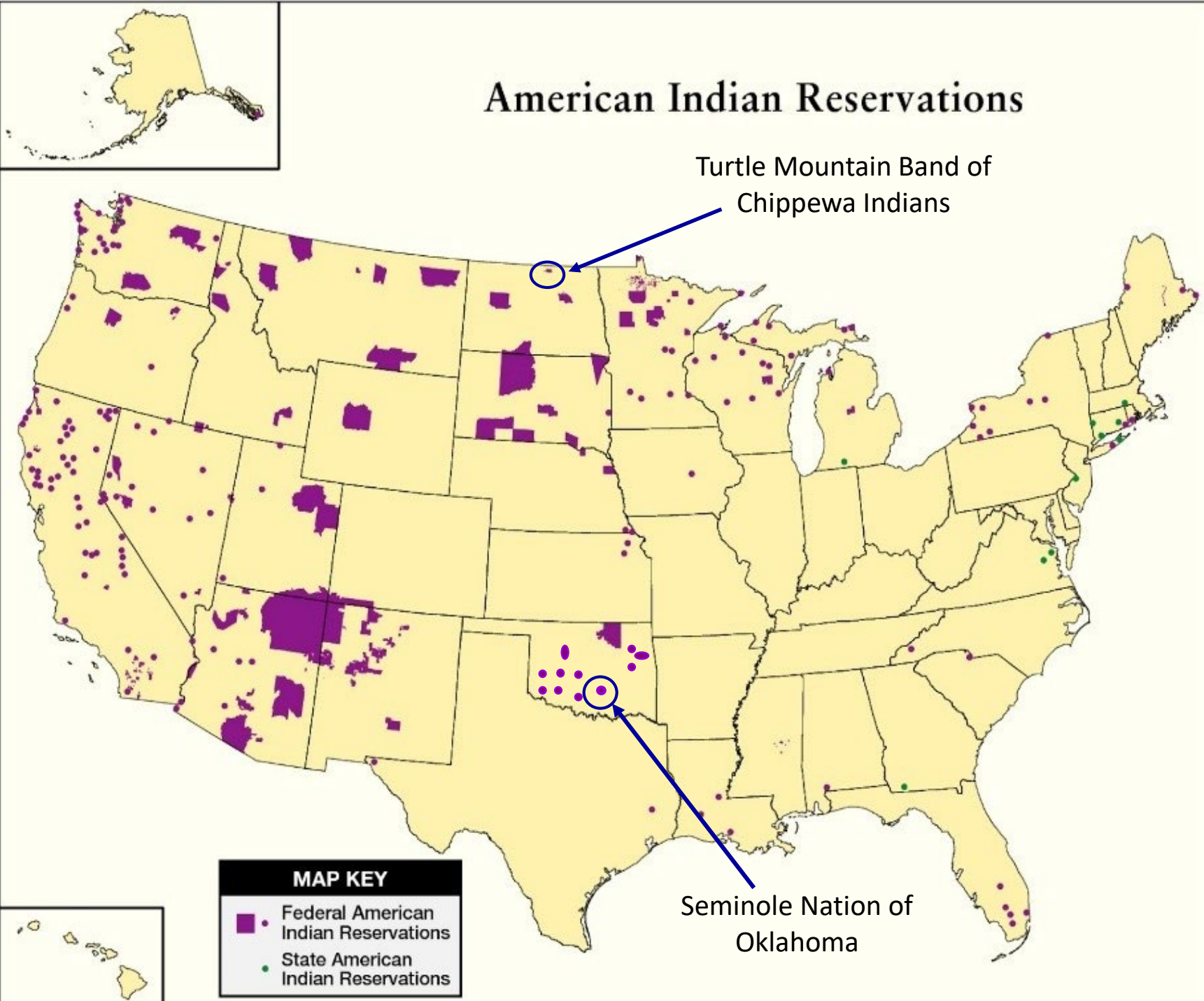


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**Turtle Mountain**  
**Stephanie Jay**

# American Indian Reservations



## Panelist: Stephanie Jay, MPH

Tribal Health Educator  
Turtle Mountain Band of Chippewa Indians  
North Dakota





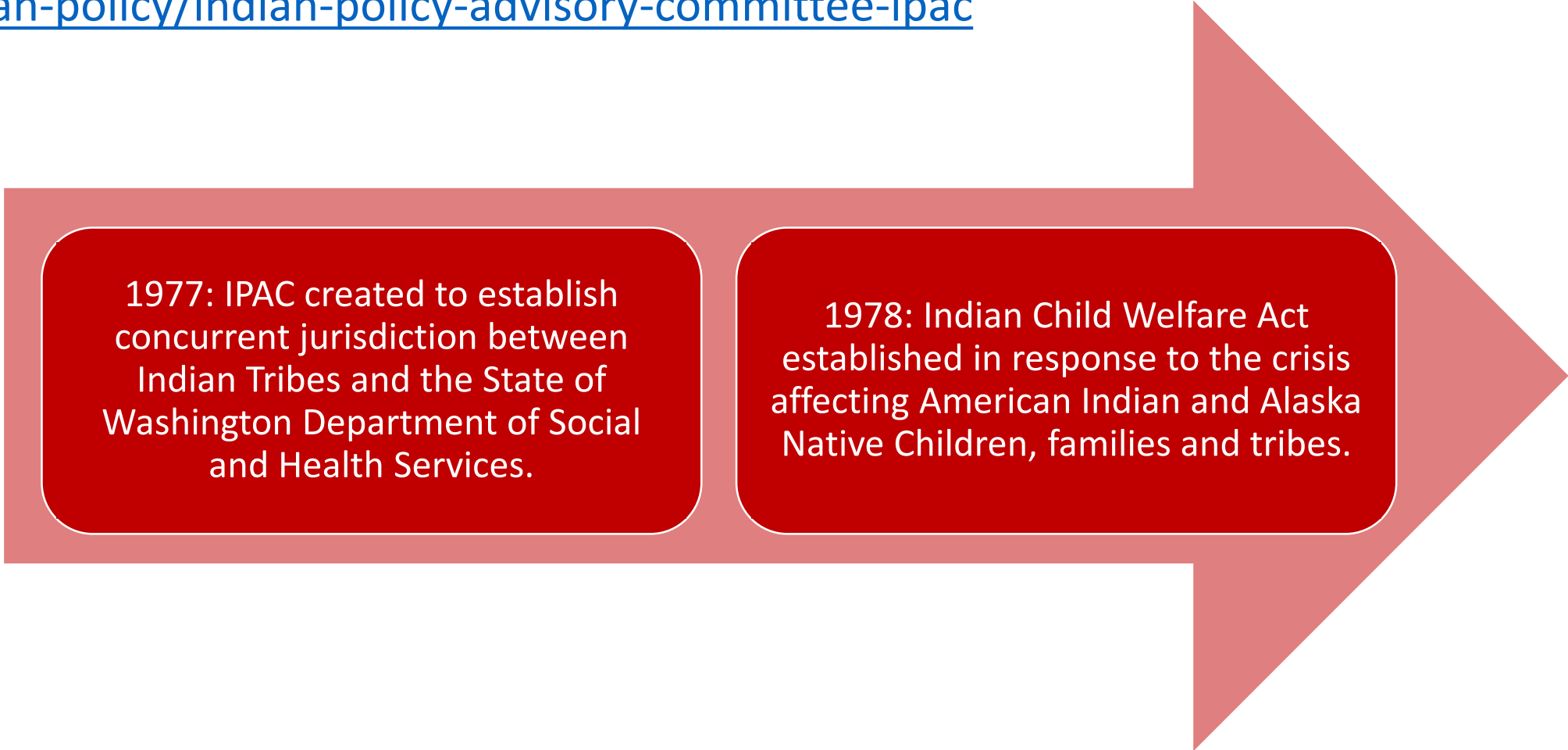
# **TRIBAL HCBS**

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**Washington State  
Government to Government:  
A work in Progress  
Ann Dahl**

# Government to Government

- **Indian Policy Advisory Committee (IPAC):** <https://www.dshs.wa.gov/sesa/office-indian-policy/indian-policy-advisory-committee-ipac>



1977: IPAC created to establish concurrent jurisdiction between Indian Tribes and the State of Washington Department of Social and Health Services.

1978: Indian Child Welfare Act established in response to the crisis affecting American Indian and Alaska Native Children, families and tribes.

# Government to Government

1989: Signing of the Centennial Accord – reaffirming the fact that we must work together, government to government, for the benefit of both tribal and non-tribal people.

<https://goia.wa.gov/relations/centennial-accord>

1999: Signing of the Agreement to Institutionalize the Government to Government Relationship in Preparation for the New Millennium - it is critical for people to realize that the establishment and continued function of the state of Washington is based on contracts, or treaties, with the tribes.

<https://goia.wa.gov/relations/millennium-agreement/agreement>

# Government to Government

## Designation of tribal liaison.

- (1) Assisting the state agency in developing and implementing state and agency policies that promote effective communication and collaboration between the state agency and tribal governments;
- (2) Serving as a contact person with tribal governments and maintaining communication between the state agency and affected tribal governments; and
- (3) Coordinating training of state agency employees in government-to-government relations with tribal nations

# Government to Government

## Contract Consolidation - Intergovernmental Agreement

- Developed as an attempt to streamline current methods in paying tribes for services rendered.
- Features of this approach include reduced paperwork, an annual reporting system and a more efficient use of Tribal and state funds.
- This system is currently being reviewed and will be updated soon.



# Government to Government

- Establishment of the 7.01 Policy, November 1, 1987
- Focus: Communication, Collaboration, and Consultation with WA tribes, service planning, service delivery



# Government to Government

2017: Reviewed all Aging and Long Term Support Services Contracts to see what barriers of Sovereignty were in the contracts. Removed those barriers that were not safety issues or were against state and federal policy. Waivers were put in place where possible.

2018: Wrote Medicaid Contracting with Tribal Nations – Updated Management Bulletin for Indian Nation Program Agreements for 10 AAA contracts

## For More Information, Contact:

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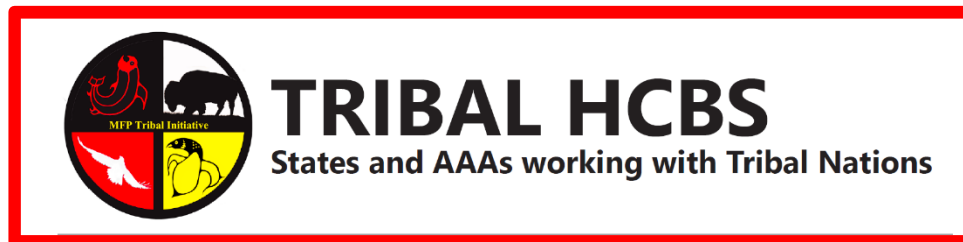
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Tribal Affairs Administrator

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# Resources

# Resources

- **Washington State Centennial Accord between Federally Recognized Indian Tribes in Washington State and the State of Washington:**  
<https://goia.wa.gov/relations/centennial-accord>
- **Government to Government Relationship with Indian Tribes: RCW Title 43; Chapter 43:** <https://app.leg.wa.gov/rcw/default.aspx?cite=43.376>
- **American Indian Administrative Policy 7.01 and Plans:**  
<https://www.dshs.wa.gov/office-of-the-secretary/american-indian-administrative-policy-701-and-plans>
- **Washington State Aging & Long-Term Support Administration Tribal Affairs:**  
<https://www.dshs.wa.gov/altsa/altsa-tribal-affairs>

# Resources

- **U.S. Department of Health and Human Services Tribal Consultation Policy:** <https://www.hhs.gov/sites/default/files/iea/tribal/tribalconsultation/hhs-consultation-policy.pdf>
- **CMS direction on State-Tribal Government to Government Relationships on Health Care:** <https://www.cms.gov/Outreach-and-Education/American-Indian-Alaska-Native/AIAN/redirect-StateTribal-RelationsonHealthcare>
- **State-Tribal Consultation: Best Practices:** <https://www.cms.gov/Outreach-and-Education/American-Indian-Alaska-Native/AIAN/redirect-StateTribal-RelationsonHealthcare#wa>

# Resources

To share information about effective State-Tribal consultation on healthcare, CMS conducted guided discussions in Minnesota, Oregon, and Washington. These states possess CMS-approved State Plan Amendments guiding consultation with Tribes. They also have an established history of successful State-Tribal consultation practices. State and Tribal participants in Medicaid and CHIP consultations identified the strengths and weaknesses of these current consultation processes in each location.

A summary of best practices from Minnesota, Oregon, and Washington, as well as findings from each individual state, can be downloaded below.

- [State-Tribal Consultations: A Summary of Best Practices \(PDF\)](#)
- [Best Practices in State-Tribal Consultations: Findings from Minnesota \(PDF\)](#)
- [Best Practices in State-Tribal Consultations: Findings from Oregon \(PDF\)](#)
- [Best Practices in State-Tribal Consultations: Findings from Washington \(PDF\)](#)

# Thank You!

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