



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #SAC-12-057

TITLE: Adherence to State/Tribal Consultation and Collaboration Statutes in the Design, Development and Implementation of the Medicaid Program

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, the National Indian Council on Aging (NICOA) established in 1976 by Tribal Leaders to advocate for and improve the health, social services and economic well being provided to American Indian and Alaska Native Elders on a national basis, submits to NCAI this resolution passed by its members at their biennial meeting on September 17, 2012; and

WHEREAS, States throughout the country are presently involved in the design of their own respective Medicaid programs; and

WHEREAS, like other United States citizens. American Indian and Alaska Native Elders receive important health care benefits from the Medicaid program such as Long Term care benefits from the Medicaid programs such as long term elderly and nursing home care services and assistance to remain in their own homes; and

WHEREAS, many of the elderly members who are grandparents are the sole caregivers and providers for their grandchildren; and

WHEREAS, these grandchildren are in need of full range of health care services to develop into strong healthy members of society; and

WHEREAS, the Indian Health Services has not been fully funded since its inception and is unable to provide a sufficient range of health care services that meet the needs of both our elderly and our children; and

WHEREAS, Tribes throughout these United States in conjunction and cooperation with state governments and legislators have established laws that require Governors and state agencies to consult and collaborate with Tribal Government on all matters that impact on the lives of their people; and

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WHEREAS, our elders and their grandchildren rely upon elders to advocate and protect their entitlements and rights in the nation’s health care system; and

WHEREAS, many states and their agencies throughout the nation fail to adhere to the consultation and collaboration that have been enacted and as a consequence the genuine, necessary and real health care needs of the elderly and their grandchildren are not being recognized, respected and met; and

WHEREAS, the Centers for Medicaid and Medicare Service (CMS), as an agency of the United States Government and within the context of the trust relationship between the Federal Government, Indian Tribes, and Urban Indian Organizations is required to protect the health care rights, their tribes and their people.

NOW THEREFORE BE IT RESOLVED, that NCAI does hereby call upon the federal and state governments of these United States to respond affirmatively to the consultation and collaboration statues that have been enacted by their legislative bodies and signed into laws by their Governors in an honest and cooperative manner to assure that the health care need of our Elders and their grandchildren are met; and

BE IT FURTHER RESOLVED, the trust relationship between tribes and the Federal Government to assure that its regulations regarding consultation Center of Medicaid and Medicare Services (CMS) meets its responsibility to protect and collaboration are met and that the various state Medicaid programs are developed in consultation and collaboration with Tribal Governments; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2012 Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center from October 21-26, 2012 in Sacramento, California, with a quorum present.



 President

ATTEST:



 Recording Secretary