TITLE: A Call to the Federal Government to Promote Telehealth Solutions in Indian Country

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 and the United Nations Declaration on the Rights of Indigenous Peoples, 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 Federal government of the United States has a unique and special relationship with American Indians and Alaska Natives (AI/ANs) to provide health care as established through the U.S. Constitution Treaties with Indian Tribes, U.S. Supreme Court decisions and Federal legislation; and

WHEREAS, Telehealth is the use of electronic information and telecommunications technologies to support and promote long-distance clinical health care, patient and professional health-related education, public health and health administration. Telehealth has proven to be an effective and cost efficient way to achieve better health outcomes for Tribal communities; and

WHEREAS, the residents of communities of American Indian Tribes and Alaska Native Villages are the least served citizens in America with regard to telecommunications, broadband, and broadcast services; and

WHEREAS, the Indian Health Service (IHS), an agency within the Department of Health and Human Services, administers health care to 2.2 million AI/ANs residing in Tribal communities in 35 states, directly, or through contracts or compacts with Tribes and Tribal organizations under the Indian Self-Determination and Education Assistance Act; and
WHEREAS, the IHS established the Telebehavioral Health Center of Excellence in 2009 to serve isolated AI/AN communities and areas with limited or no access to behavioral health services. The IHS TBHCE provides Tribal communities with technical assistance, implementation, training, and evaluation support for remote health care; and

WHEREAS, the Government Accountability Office, in the 2016 report titled “Additional Coordination and Performance Measurement Needed to High-Speed Internet Access Programs on Tribal Lands,” called for better coordination between the FCC and the US Department of Agriculture on all deployment on Tribal Lands. This lack of coordination persists between the FCC, USDA, and the IHS as it relates to Telehealth solutions; and

WHEREAS, the Communications Act of 1934 and Telecommunications Act of 1996 (Telecom Act), did not recognize the inherent rights and responsibilities of tribes, and left tribal roles, needs and abilities unaddressed, a root cause of why Native Nations lag far behind the rest of the nation in virtually every measure of communications connectivity; and

WHEREAS, the 2000 Federal Communications Commission Statement of Policy on Establishing a Government to Government Relationship with Indian Tribes, recognizes and promotes the “general trust responsibility with, and responsibility to, federally-recognized Indian Tribes” and also “recognizes the rights of Indian Tribal governments to set their own communications priorities and goals for the welfare of their membership;” and

WHEREAS, the United States and the Federal Communications Commission share a unique government-to-government and trust relationship with Indian Tribes and Alaska Native Villages, to ensure they receive parity of communications services with other American communities; and

WHEREAS, the Rural Health Care Program at the Federal Communications Commission provides funding to health care providers for telecommunications and broadband services necessary for the provision of health care. The goal of the program is to improve the quality of health care available to patients in rural communities by ensuring that eligible HCPs have access to telecommunications and broadband services. Funding for the Rural Health Care Program is capped at $400 million annually. Grants from the Rural Health Care Program awarded directly to Tribal Nations historically have been limited; and

WHEREAS, in September 2015 the White House Broadband Opportunities Council released a report that included action items and milestones for federal agencies to remove barriers for broadband deployment and adoption, including access to telehealth and telemedicine programs and funding.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) calls on Congress to enact legislation that will fund and promote telehealth programs for AI/AN at the US Department of Agriculture, the Department of Health and Human Services, the Department of the Interior, the Department of Justice, the Department of Energy and the Department of Veterans Affairs; and
BE IT FURTHER RESOLVED, that NCAI calls on the Administration to prioritize telehealth deployment to serve AI/AN as highlighted by the White House Broadband Opportunities Council. That NCAI calls on the Administration to coordinate telehealth objectives between agencies to promote telehealth adoption in Indian Country; 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 2017 Annual Session of the National Congress of American Indians, held at the Wisconsin Center in Milwaukee, WI, Oct 15, 2017 - Oct 20, 2017, with a quorum present.

Jefferson Keel, President

ATTEST:

Juana Majel Dixon, Recording Secretary