

Introduction

The AHCCCS Tribal Consultation Policy was adopted by the AHCCCS Administration and incorporated into its administrative policy in early state fiscal year 2007. The institution of the policy resulted from the direction of Governor Janet Napolitano. Formal direction to AHCCCS and other Executive Branch agencies was provided in Executive Order 2006-14, "Consultation and Cooperation with Arizona Tribes." In short, the executive order requires that all Executive Branch agencies:

1. Develop and Implement tribal consultation policies;
2. Designate a member of their staff to assume responsibility for the agency's implementation of the tribal consultation policy and act as the principle point of contact for tribal issues; and
3. Review their tribal consultation policies each year and submit an electronic report to the Governor and the Legislature to describe all action undertaken.

AHCCCS Tribal Consultation Policy Development

The AHCCCS Tribal Consultation Policy was composed upon review of federal tribal consultation policies, including those of the U.S. Department of Health and Human Services, Indian Health Service (IHS), and Centers for Medicare and Medicaid Services (CMS). The AHCCCS Tribal Consultation Policy was reviewed by its executive management and directors early in SFY 2007. The Policy was subsequently incorporated in the AHCCCS Administrative Policy. Since the incorporation of the Policy, the AHCCCS Administration has conducted annual reviews and incorporated revisions based on recommendations from tribes, Indian Health Service, tribal health programs operated under P.L. 93-638, urban Indian health programs and other stakeholders. AHCCCS has also received an approval to amend its Medicaid State Plan to include the process for consultation on a variety of proposed Medicaid and CHIP policy changes that have a direct effect on tribes and Indian Health Service, tribal health programs operated under P.L. 93-638, urban Indian health programs (collectively referred to as "I/T/U").

American Indian AHCCCS Members

American Indians and Alaska Natives compose about five percent of Arizona's population. Of the AHCCCS member population, the proportion of American Indians and Alaska Natives is significantly higher, totaling about ten percent. Therefore, it is imperative that tribal governments, as sovereign nations, be consulted on federal and state policies that have a significant impact on their tribal members. It is also essential that the IHS, tribal health programs operated under P.L. 93-638, and urban Indian health programs are consulted with as they represent the Indian health system that is the primary provider of care for American Indians. It is also important for other organizations such as the Inter Tribal Council of Arizona, Inc. and the Advisory Council on Indian Health Care to be involved in the consultation process.

Consultation Activities

The AHCCCS Administration has conducted ten consultation meetings to discuss various proposed policy and program changes during state fiscal year 2011. The following meetings were held primarily to provide updates on the AHCCCS budget and to discuss policy and programmatic changes that were either proposed by AHCCCS or mandated by the State Legislature in response to the state budget shortfall.

1. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on August 10, 2010 from 9:00 a.m. – 12:00 pm (MDT) in Window Rock, Arizona. The meeting was hosted by the Fort Defiance Indian Hospital. Former Navajo Nation Vice President Ben Shelly, Director of the Navajo Area Indian Health Service John Hubbard, and Chief Executive Officer of the Fort Defiance Indian Hospital provided opening remarks. The following were items of discussion that were presented to participants.
 - AHCCCS Update
 - State Medicaid Health Information Technology (HIT) Plan Update

- Section 1115 Waiver Renewal
 - ALTCS Request for Proposals for Program Contractors
 - Waiver Update
 - Update in Procedures for Certification & Licensure of Facilities
 - Disproportionate Share Hospital (DSH) Payments & Local Match Opportunities
 - MIPPA Estate Recovery SPA Request
 - Prescription Drug Rebate SPA Request
2. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on September 13, 2010 by conference call from 10:30 a.m. – 12:00 p.m. to discuss a proposed change which would allow reimbursement for adult vaccinations in pharmacies.
 3. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on September 21, 2010 from 8:00 a.m. – 9:00 a.m. by conference call to discuss inpatient and outpatient hospital rate freezes.
 4. An AHCCCS Consultation Meeting with Tribes on I/T/U was held on October 27, 2010 in Sells, Arizona from 9:00 a.m. – 11:30 a.m. The meeting was hosted by the Tohono O’odham Nation Department of Health and Human Services. The following were items of the discussion which were presented to participants.
 - AHCCCS Update
 - Pending AHCCCS Items Affecting Tribes and ITU
 - Update from the AHCCCS Division of Fee-for-Service Management
 - Ticket to Work Disability Determinations for SMI
 - ALTCS PAS Tool for Children under Age 6 with Developmental Disabilities
 - Children’s Rehabilitative Services Simplification
 5. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on December 2, 2010 from 10:00 a.m. – 11:00 a.m. by conference call to discuss Recovery Audit Contractors and AHCCCS Provider Rate Reductions.
 6. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on January 10, 2011 by conference call from 10:30 a.m. – 12:00 p.m. to discuss proposed changes to Graduate Medical Education Payments, Disproportionate Share Hospital Payments, Healthcare Acquired Conditions, and a State Plan & Waiver Update.
 7. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on January 21, 2011 at the AHCCCS Administration from 9:00 a.m. – 12:00 p.m. at AHCCCS. The topics presented and discussed were primarily budget updates and accompanying policy changes to achieve cost savings from AHCCCS, ADHS, and ADES. The topic of the AHCCCS Payment Methodology for IHS and 638 Services State Plan Amendment (SPA) was also presented for discussion.
 8. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on February 22, 2011 by Conference Call from 9:00 a.m. – 10:00 a.m. to discuss the Hospice Services SPA, Prohibition on Payments to Institutions or Entities Located Outside of the United States SPA, Consultation with Tribes and I/T/U SPA, and DHHS’ Response to Arizona’s Request for an Maintenance of Effort (MOE) Waiver.
 9. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on March 31, 2011 from 9:00 a.m. – 12:00 p.m. in Mojave Valley, Arizona. The meeting was hosted by the Fort Mojave Indian Tribe. President Timothy Williams provided opening remarks, attended the duration of the meeting, and added constructive comments along with other participants. The topics discussed included the following.
 - AHCCCS Budget Overview & Governor’s Plan for Arizona’s Medicaid Reform (Revised Waiver Proposal)

- Health Home for Enrollees with Chronic Conditions
 - AHCCCS State Plan and Waiver Amendment Overview
 - Update from Region IX DHHS Tribal Consultation Meeting; Community First Choice Option
 - Provider Screening Requirements
 - Educational Resources to Non-I/T/U Providers Regarding AHCCCS AIHP
 - School Based Claims
10. An AHCCCS Consultation Meeting with Tribes and I/T/U was held on June 8, 2011 from 1:00 p.m. – 4:00 p.m. at the AHCCCS Administration to facilitate discussion and solicit feedback regarding the following topics.
- AHCCCS Budget Overview & Governor’s Plan for Arizona Medicaid Reform;
 - CMS Clarification Regarding Scenarios in which the State Can Claim 100% FFP
 - Reimbursement State Plan Amendments
 - Other Licensed Practitioners SPA
 - Hospice Benefit Restoration SPA
 - AHCCCS SPAs Pertinent to Tribes and I/T/U
 - DFSM Claims Update

Additional Information

More information on the AHCCCS Tribal Consultation Policy and Consultation Meetings with Tribes and I/T/U are posted on the AHCCCS website, which can be found at www.azahcccs.gov. You may also contact Carol Chicharello, AHCCCS Tribal Relations Liaison, at carol.chicharello@azahcccs.gov for further information regarding the various proposed policy changes that have been discussed in previous meetings.