

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Requesting that the Health Care Financing Administration define Home Health
Skilled Nursing as a Medicaid Benefit eligible for 100% pass through funding)**

RESOLUTION NO. 2000-138

1 **WHEREAS, the Tohono O'odham Nation is indigenous to Southern Arizona. The Tohono**
2 **O'odham Reservation spans a territory of over 2.8 million acres and is the second**
3 **largest Native American Reservation in the mainland United States. The enrolled**
4 **population of the Nation is approximately 22,000. There are approximately eighty**
5 **five (85) inhabited villages in this arid desert land; some sparsely populated; some**
6 **extremely remote and reachable only on unpaved roads. Distances to the nearest**
7 **health care facility for some villages can exceed 90 miles. The median income is**
8 **below the poverty level and is among the lowest of all Native American communities;**
9 **and**

10 **WHEREAS, the Tohono O'odham Nation presently operates a Home Health Agency that provides**
11 **Skilled Nursing services under written orders from a physician. Registered Nurses**
12 **and Licensed Practical Nurses provide dressing changes, medication administration**
13 **and medication management in the patient's own home; and**

14 **WHEREAS, the Tohono O'odham Home Health Agency is a provider under the State of Arizona's**
15 **Medicaid program and receives reimbursement for services that are prior**
16 **authorized as required under Arizona's Medicaid plan; and**

17 **WHEREAS, on July 11, 1996, the Indian Health Service and the Health Care Financing**
18 **Administration (HCFA) entered into a Memorandum of Agreement that had an Indian**
19 **Self-Determination and Education Assistance Act of 1975, Public Law 93-638 (PL 93-**
20 **638) Contract Agreement to receive 100% Federal reimbursement for services**
21 **provided to Medicaid eligible American Indians; and**

22 **WHEREAS, the Nation submitted requests to HCFA that Home Health Skilled Nursing services be**
23 **designated as a service eligible for 100% federal reimbursement. HCFA has not yet**
24 **designated Home Health Skilled Nursing as a service eligible for 100% federal**
25 **reimbursement; and**

26 **WHEREAS, the Health Care Financing Administration has always promoted home based care**
27 **and in fact permits that behavioral health services provided in the patients home to**
28 **receive the 100% federal reimbursement; and**

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1 **WHEREAS, there is a continued need for coordinated, comprehensive delivery of basic and**
2 **specialized Home Health Skilled Nursing Care to Medicaid eligible persons in their**
3 **home on the Tohono O'odham Nation; and**

4 **WHEREAS, the 100% federal reimbursement of Home Health Skilled Nursing will enable the**
5 **Nation to continue providing a minimal level of existing service and explore the**
6 **option of providing additional physician requested nursing services (i.e. IV drug**
7 **administration).**

8 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that:**

9 **1. It hereby requests the advocacy of its Congressional Representatives to**
10 **encourage the Health Care Financing Administration to designate Home Health**
11 **Skilled Nursing as a service eligible for 100% federal reimbursement.**

12 **BE IT FURTHER RESOLVED that the Appropriations Committee is hereby authorized and directed**
13 **to bring this request to the appropriate Agencies, Members and Committees of**
14 **Congress.**

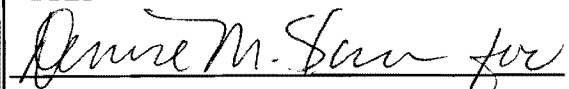
15 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 21ST. day**
16 **of MARCH, 2000 at a meeting at which a quorum was present with a vote of 2,165.5 FOR; -0-**
17 **AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**
18 **Section 1 (j) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the**
19 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
20 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
21 **18, 1934 (48 Stat. 984).**

22
23 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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25 
26 **Dennis Ramon, Legislative Chairman**

27
28 21 day of MARCH, 2000

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31 **ATTEST:**

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34 **Julianna Saraficio, Acting Legislative Secretary**

35 21 day of March, 2000.
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Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 21 day of MARCH, 20 00 at 5:17 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

APPROVED


on the 22 day of March, 20 00

DISAPPROVED

at 9:37 o'clock, A.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 22 day of
March, 20 00, at 11:40 o'clock, A.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: REQUESTING THAT THE HEALTH CARE FINANCING ADMINISTRATION DEFINE HOME HEALTH SKILLED NURSING AS A MEDICAID BENEFIT ELIGIBLE FOR 100% PASS THROUGH FUNDING

MOVED: COUNCILWOMAN MARY FLORES

SECOND: COUNCILMAN ALBERT MANUEL, JR.

DATE: MARCH 21, 2000

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 171.8	1. MARY ANN ANTONE (Darlene Andrew)	85.9	X			
	2. RITA MARTINEZ (Nicholas Jose)	85.9	X			
SELLS 372.7	1. DENNIS E. JOSE ()	186.35	X			
	2. EVELYN JUAN ()	186.35	X			
SCHUK TOAK 133.4	1. MARY FLORES ()	66.7	X			
	2. AMBROSE ENCINAS ()	66.7	X			
SAN XAVIER 165.9	1. TONY BURRELL ()	82.95	X			
	2. DENNIS RAMON ()	82.95	X			
BABOQUIVARI 286.5	1. FRANCES MIGUEL ()	143.25	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	143.25	X			
GU ACHI 209.6	1. CAMILLUS LOPEZ (Louis Johnson)	104.8	X			
	2. ALEX J. RAMON ()	104.8	X			X
PISINEMO 156.8	1. BARBARA SALVICIO (Alex Antone)	78.4	X			
	2. JOHNSON JOSE ()	78.4	X			
SAN LUCY 128.1	1. ALBERT MANUEL, JR. ()	64.05	X			
	2. GLORIA RAMIREZ ()	64.05	X			
GU VO 160.0	1. FERN SALCIDO ()	80.0	X			X
	2. GLORIA MONTANA (Phillip Antone)	80.0	X			
HICKIWAN 158.1	1. ALEX JOSE (Shirley Santos)	79.05	X			
	2. LLOYD FRANCISCO (Susan Sam)	79.05	X			
CHUKUT KUK 222.6	1. KENNETH WILLIAMS ()	111.3	X			
	2. DAVID GARCIA (Mary Audrey Juan)	111.3	X			
TOTAL		2,165.5	2,165.5	-0-	-0-	[02]

**PASSED VOTES