

**TO EXTEND AT DESIGNATED FACILITIES HEALTH SERVICES TO ALL
EMPLOYEES OF THE CHOCTAW NATION AND THEIR COVERED DEPENDENTS,
AND TO RESIDENTS OF UNDERSERVED AREAS WITHIN THE CHOCTAW
NATION RESERVATION**

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

TO APPROVE a determination under the Indian Health Care Improvement Act (“IHCIA”), 25 U.S.C. §1680c(c)(2) to extend health services to all employees of the Choctaw Nation of Oklahoma (“the Nation”), their covered dependents, and to residents of underserved areas within the Choctaw Nation Reservation.

TO RESCIND Council Bills CB-58-12, CB-81-12, CB-152-15, and CB-22-16.

WHEREAS, Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma provides that the Tribal Council (the “Council”) shall enact legislation, rules and regulations not inconsistent with the Constitution for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation;

WHEREAS, CB-58-12 relates to approving a determination under Section 813 of the IHCIA to extend certain health services to all residents of the Talihina area, including those not eligible for Indian health services. CB-81-12 and CB-152-15 both relate to approving a determination under the IHCIA to extend certain health services to all employees of the Choctaw Nation and their covered dependents, including those that are not eligible for Indian health care services. Further, CB-22-16 relates to approving a determination under the IHCIA to extend health services to all employees of the Choctaw Nation, their covered dependents, and to Talihina area residents, including those that are not eligible for Indian Health Services;

WHEREAS, the Nation recognizes the need to improve access to health services for employees, their covered dependents, and the residents of underserved communities within the Choctaw Nation Reservation (“the Reservation”);

WHEREAS, many areas of the Reservation lack health care providers where employees and other community residents work or live, forcing them to drive long distances to other towns to access health care services;

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WHEREAS, the number of Nation employees now well exceeds 14,800 and continues to grow. A number of patients eligible for Employee Health Services consists of these employees and their covered dependents;

WHEREAS, in 1980, prior to the Nation's assumption of operations of the Indian Health Services ("IHS") hospital in Talihina, Oklahoma, the United States Congress extended IHS services to residents of the Talihina area via P.L. 96-514, thereby recognizing that significant communities within the Nation are underserved with health care services;

WHEREAS, providing health services to employees, their covered dependents and to other residents of the Reservation when resources are available improves their understanding of our health care system, is an effective tool in recruiting employees, and is an efficient and cost-effective way of ensuring the health status of our employees, their covered dependents, and members of our communities;

WHEREAS, the governing body of the Nation is authorized by the IHCIA to determine whether health services under the Indian Self-Determination and Education Assistance Act ("ISDEAA") should be provided to individuals who are not eligible for Indian health services;

WHEREAS, non-IHS eligible individuals are small in number in relationship to the Nation's eligible health program users;

WHEREAS, the Tribal Council has determined it is in the best interest of the Nation to extend primary care, including but not limited to wellness, screening, diagnostic and treatment services to its employees, their covered dependents and residents of underserved communities within the Choctaw Nation Reservation, as well as certain inpatient services at the Talihina Hospital, which shall include, but not be limited to prenatal, delivery, postpartum care and pediatrics for children born at the Talihina Hospital up to six weeks (or the completion of an ongoing plan of care) at designated facilities;

WHEREAS, the Nation has further determined that provision of such health services to all Nation employees, their covered dependents, and to residents of underserved communities within the Reservation will not result in a denial or diminution of health services to eligible Indians; and

WHEREAS, the Nation has established fiscal procedures, including billing and collection procedures, to ensure recovery of the actual costs of health services provided to non-beneficiaries at the Nation's facilities or through the Nation's providers.

THEREFORE BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval for the aforementioned health care services to be provided under the Indian Self-Determination and Education Assistance Act ("ISDEAA") by the Nation to its

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Non-IHS eligible employees, their covered dependents, and to other residents of underserved areas within the Choctaw Nation Reservation, who are otherwise not eligible for Indian Health Services, under the conditions described herein.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval that the services authorized herein shall be provided under the ISDEAA at designated tribal facilities and locations to be determined by the Nation, including but not limited to the Talihina Community Clinic.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Bill be cited as approval that the Choctaw Nation Health Services Authority shall be authorized and directed to limit or eliminate access to health services by Non-IHS eligible employees, their covered dependents, and the other residents of the Reservation if provision of such services diminishes the provision of health services to Indian Health Services beneficiaries.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Council Bill shall rescind the following Council Bills that addressed this issue: CB-58-12, CB-81-12, CB-152-15, and CB-22-16.

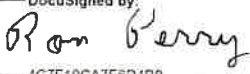
BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that nothing in this Council shall be interpreted as a waiver of the Nation's sovereign immunity or any privileges the Nation enjoys as a sovereign and tribal government.

CERTIFICATION

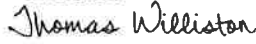
I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that ten (10) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on June 8, 2024. I further certify that the foregoing Council Bill CB- 72 -24 was adopted at such meeting by the affirmative vote of ten (10) members, zero (0) negative votes, and zero (0) abstaining.

CB - 72 - 24


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DocuSigned by:

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Ronald Perry, Secretary
Choctaw Nation Tribal Council

DocuSigned by:

B67CD192FD1441F

Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation of Oklahoma

Date 6-13-24

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Purpose/Need of Council Bill: This bill will approve a determination under the Indian Health Care Improvement Act (IHCA) to extend health services to all employees of the Choctaw Nation of Oklahoma (“the Nation”), their covered dependents, and to residents of underserved areas within the Choctaw Nation Reservation. Currently there are thousands of Nation employees and their covered dependents who are not eligible for health services from the Nation’s Health Care Services Authority (“CNHSA”). There are also many people who reside on the Nation’s Reservation who are also not eligible for CNHSA services and do not have access to any other local healthcare services. Allowing CNHSA to extend health services to employees, their covered dependents and to other residents of the Reservation at designated facilities and when resources are available improves their understanding of our health care system, is an effective tool in recruiting employees, and is an efficient and cost-effective way of ensuring the health status of our employees, their covered dependents, and members of our communities. Federal law requires that this expansion of services employees and residents of the Reservation be approved by the Nation’s governing body. The current designated facility will be the Choctaw Nation-OSU Antlers Community Clinic with future designations dependent upon the availability of resources and the discretion of the Nation. These designations will in no way interfere with or diminish the services provided to tribal members. This council bill furthers the Nation’s strategic goals of strengthening financial growth and economic stability and becoming the employer of choice by ensuring all Nation employees and their covered dependents have access to quality local healthcare and support service delivery to improve quality of life by ensuring access to local healthcare across the Choctaw Nation Reservation.

Title of Council Bill: TO APPROVE A DETERMINATION TO EXTEND HEALTH SERVICES TO ALL EMPLOYEES OF THE CHOCTAW NATION AND THEIR COVERED DEPENDENTS, AND TO RESIDENTS OF UNDERSERVED AREAS WITHIN THE CHOCTAW NATION RESERVATION

Agency: Choctaw Nation Health Services Authority

Budget: N/A

Match Required: N/A

Request by/Project Director: Todd Hallmark, Executive Officer, Department of Health; Teresa Jackson, SEO, Member Services

Suggested Legislative Committee Review: Health Services.