



Inter Tribal Association of Arizona

21 TRIBAL NATIONS

RESOLUTION 0218

Endorsement of the New and Increased Reimbursement Formula for Tribal Emergency Medical Service (EMS) Proposed by the Arizona Health Care Cost Containment System (AHCCCS)

Ak-Chin Indian Community
Cocopah Tribe
Colorado River Indian Tribes
Fort McDowell Yavapai Nation
Fort Mojave Indian Tribe
Gila River Indian Community
Havasupai Tribe
Hopi Tribe
Hualapai Tribe
Kaibab Band of Paiute Indians
Pascua Yaqui Tribe
Pueblo of Zuni
Quechan Tribe
Salt River Pima-Maricopa Indian Community
San Carlos Apache Tribe
San Juan Southern Paiute Tribe
Tohono O'odham Nation
Tonto Apache Tribe
White Mountain Apache Tribe
Yavapai-Apache Nation
Yavapai-Prescott Indian Tribe

WHEREAS, the Inter Tribal Association of Arizona, an association of 21 tribal governments in Arizona, provides a forum for tribal governments to advocate for national, regional and specific tribal concerns and to join in united action to address these concerns; and

WHEREAS, the Member Tribes of the Inter Tribal Association of Arizona have the authority to act to further their collective interests as sovereign tribal governments; and

WHEREAS, the Inter Tribal Association of Arizona has the charge to support and represent particular Member Tribes on matters directly affecting them upon their request; and

WHEREAS, Tribal EMS ambulance providers (I.H.S. and PL 93-638) have been receiving reimbursements for ambulance services by Arizona's Medicaid agency, the Arizona Health Care Cost Containment System (AHCCCS), at dramatically lower rates than their off-reservation counterparts dating back to at least 1994; and

WHEREAS, a legal review was conducted to examine the history and authorities behind the disproportionate reimbursement rate in order to determine whether or not AHCCCS has a legal or equitable justification for reimbursing Tribal EMS for ambulance services at such a disproportionately low rate; and

WHEREAS, multiple meetings and webinars were convened with Tribal EMS providers for the Tribes in Arizona in the summer and early fall of 2017 in order to discuss the results of the legal review and to receive Tribal EMS feedback; and

WHEREAS, this issue was presented to Tribal Leaders during a Tribal Leaders’ meeting on Friday, September 15, 2017, and the consensus from Tribal Leaders was to keep pursuing a solution with AHCCCS and Arizona Department of Health Service (ADHS); and

WHEREAS, on January 16, 2018, a meeting with Tribal EMS providers and ADHS Director, Dr. Cara Christ and AHCCCS Director, Thomas Betlach was held at which time, the Directors for AHCCCS and ADHS committed to finding a solution to the disproportionately low AHCCCS reimbursement rate; and

WHEREAS, after numerous negotiations and several additional meetings and discussions with Tribal EMS providers, AHCCCS has agreed to substantially increase its reimbursement formula to bring Tribal EMS reimbursement rates for I.H.S. and PL 93-638 Tribal EMS providers on par with the average rates of their off-reservation counterparts, as follows:

- First, AHCCCS will annually calculate weighted average rates for the following billing units: Advanced Life Support (ALS), Basic Life Support (BLS), Mileage, and Standby waiting (Standby)
 - “Weighted average” means the sum of all units x rates, divided by total units
 - Option A – weighted average of all paid claims and encounters
 - Option B – weighted average of all paid claims only
- Next, AHCCCS will apply the statutorily mandated 68.59% to calculation of weighted averages for each unit under both Option A and Option B
- Last, AHCCCS will select the highest rate in each billing unit for ALS, BLS, Mileage, and Standby as the applicable Tribal EMS rate for the applicable year.

WHEREAS, using rates applied to Certificate of Necessity holders as of 4/1/18 (for illustrative purposes only), the Tribal reimbursement rates that would be applicable today under the AHCCCS proposed formula are highlighted in yellow below:

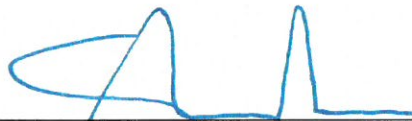
	ALS	BLS	Mileage	Standby
Option A	\$789.34	\$675.18	\$12.11	\$75.51
Option B	\$817.81	\$759.26	\$10.66	\$85.48
Difference	\$28.47	\$84.08	(\$1.44)	\$9.96
Diff. %	3.6%	12.5%	-11.9%	13.2%

NOW, THEREFORE BE IT RESOLVED, the 21 Member Tribes of the Inter Tribal Association of Arizona endorse the new and increased reimbursement formula for Tribal EMS proposal by AHCCCS subject to the following additional conditions:

1. AHCCCS will update the AHCCCS Tribal reimbursement formula on an annual basis using the agreed upon formula described herein; and
2. AHCCCS agrees to make available to ITCA and any affected Arizona Tribe the individual rates used in the formula as well as the number of claims and encounters, and any other underlying data necessary to annually validate the AHCCCS Tribal reimbursement rate for ALS, BLS, Mileage, and Standby; and
3. AHCCCS agrees to provide ITCA and interested Tribes with the language it intends to include in its amendment to the State Plan that sets forth this reimbursement formula or other terms necessary to adopt the new AHCCCS Tribal reimbursement formula as part of Tribal Consultation on the State Plan; and
4. ADHS and AHCCCS shall continue to allow Tribal EMS providers the option to go through the process of securing a Certificate of Necessity under the same terms and conditions as any other qualified ambulance provider in the State of Arizona.

CERTIFICATION

The foregoing resolution was presented and duly adopted at a meeting of the Inter Tribal Association of Arizona, where a quorum was present on **Friday, June 22, 2018**.



Shan Lewis,
President, Inter Tribal Association of Arizona
Vice-Chairman, Fort Mojave Indian Tribe