

**Centers for Medicare and Medicaid Services (CMS)  
Tribal Technical Advisory Group (TTAG)  
Conference Call Minutes**

Wednesday, October 10th, 2007  
2:30 – 4:00 p.m., E.S.T.

**Valerie Davidson**, opened meeting by welcoming CMS TTAG members.

**Colette Keith**, did the roll call.

**CMS TTAG Participants:**

Valerie Davidson, Alaska Area Representative  
Carolyn Finster, Albuquerque Area Representative  
Robert Moore, Aberdeen Area Representative  
Phil Noorgard, Bemidji Area Representative  
James Crouch, California Area Representative  
Dee Sabattus, Nashville Area Representative  
Anslem Roanhorse and Roz Begay, Navajo Nation Representative  
Melanie Knight, Oklahoma Area Representative  
David Reede, Phoenix Area Representative  
Jim Roberts, Portland Area Representative  
Cinda Hughes, National Congress of American Indians

**Others:**

Kitty Marx, NIHB  
Colette Keith, NIHB  
Dorothy Dupree, CMS  
Priya Helweg, CMS  
Rodger Goodacre, CMS  
Mike Lymon, CMS  
Anita Yuskauskas, CMS  
Carol Barbero, MMPC  
Myra Munson, MMPC  
Jim Lamb, MMPC  
Kris Locke, MMPC  
Randall Simmons, Navajo Nation, Washington Office  
Janelle Hardy, ITCA  
Renee Bernard, NAIHB  
Gerald Moses, IHS

**Dee Sabattus made motion to offer unanimous consent for open agenda. Anslem Roanhorse seconded the motion. Motion carried unanimously.**

**Dorothy Dupree**, gave Centers for Medicare and Medicaid Services report. She just got back from satellite broadcast on Part D. It will be available for download through National Institutes of Health. Three experts from CDC spoke on number of different topics. They had questions called in from the field. It went well. They will request briefing with Acting Administrator Kerry Weems. He has been traveling. He will be meeting with Navajo Nation in Albuquerque. There are couple of other items that CMS staff is involved in: 1) Development of 506 Medicare Like Rates rule. CMS staff are working with developing guidelines on how to work with hospitals who refuse to participate/comply in MLR program.

**Carol Barbero**, asked how they will detect a hospital that is refusing to participate?

**Dorothy Dupree**, responded that that will be done through the complaint process. NAC's will be contacted and forward that information to the appropriate cert crew in each regional office. They are currently working with one complaint. They are running the draft that they have in place now through a test to see how effective it is. She went on to say that she and Mike participated in the Health Disparities Work Group. They have also been invited to speak at national qualnet conference. It is in October in Baltimore. Alaska is interested in working with tribes on a Home and Community Based Services waiver. They will be working with Priya, as she is the lead for that on Long Term Care. Dorothy also reported that her staff met with NIHB to review the Cooperative Agreement activities. She reported that the workshop evaluations from the CMS day workshops came back quite high. She was concerned about some of the meeting room space but the space issue didn't seem to outweigh the benefit of information participants received from the workshops. CMS also received positive feedback on the CMS video. CMS determined that before more copies can be made, the video must become 508 compliant. This means it must be closed captioned for the deaf and hearing impaired. All federal government media must allow people who are impaired to participate in viewing, etc. Once it is 508 compliant, the video can be recopied and distributed. Perhaps TTAG can get estimate on number of videos that we will need. It's a very popular video.

**Valerie Davidson**, asked if the video is going to be available online, etc.

**Dorothy Dupree**, responded that they are working with NIHB on that. It takes a lot of space, etc.

**Priya Helweg**, added that they won't put on NIHB webpage until it is 508 compliant. They will also add the logo and when they do those things NIHB can post it.

**Robert Moore**, asked if TTAG has a logo.

**Priya Helweg**, responded that TTAG does not have a logo.

**Dorothy Dupree**, said, month of November is American Indian Heritage month. The TAG staff have two separate workshops scheduled on Indian Health 101 and Indian Health102. Finally they will be meeting with the Oglala Sioux Tribe on long term care initiatives.

**Cindy Gillaspie**, asked if Region VIII will be part of that meeting.

**Dorothy Dupree**, responded yes.

**James Crouch**, asked if Dorothy has had a chance to double check on review of California documents.

**Dorothy Dupree**, responded yes that Sharon Brown has confirmed receipt of documents and will get back to you in two weeks.

**Kitty Marx**, asked when Dorothy can share 506 guidelines with TTAG?

**Dorothy Dupree**, responded that after they meet to go over the final documents and after OGC review, TTAG will receive it.

**Kitty Marx**, said regarding to timing of satellite broadcasts. Currently they are scheduled on second Wednesday of each month. That is same time as TTAG meetings, making it difficult for people to make both. Would you consider possibility of moving those? Kitty also stated that the CMS video is ready to go sans the HHS logo, etc. We are ready to post it on the website but should we wait for it to be made 508 compliant?

**Priya Helweg**, responded, yes we need to wait.

**Valerie Davidson**, said she is getting feedback from people who are having trouble showing the video on computers.

**Priya Helweg**, responded that that is probably because it is in high definition. We are also trying to make it so that it loops so can be shown in waiting rooms, etc. She will look into that.

**Roz Begay**, asked Priya about 1915 b and c combination waivers? Also coordinated long term services. They understand that will take 6 – 12 months for decision to be made. Is that correct?

**Anita Yuskauskas**, responded that she is somewhat aware of the waivers issue. That allows home community services based waiver with a managed care option. Takes review from two different groups at CMS. They have to review within 90 days.

**Roz Begay**, said that the 1915 b and c proposal will impact over 6000 Native Americans in New Mexico. She wanted to know if that was on CMS' clock, they understand it will take time.

**Anita Yuskas**, said she will follow up on that.

**Roz Begay**, said this will target Medicaid eligible. It is cooperation within two Departments in state of New Mexico.

## **Subcommittees:**

### **Outreach and Education**

**Rodger Goodacre**, said the O and E subcommittee has not had a meeting since the NIHB consumer conference. The O and E subcommittee will schedule another meeting in the latter part of the month. For now, a couple things; He gave status of national trainings, and have tentative schedule for remaining trainings. They will send out schedule. Also, they are continuing to develop training modules. As they reach maturity, they will share them. Finally, after visiting NIHB about the Cooperative Agreement that CMS has with them, there are a couple of projects associated with that. a) review and survey of current communication networks associated with TTAG activities; b) review of current activities that are going on with TTAG.

**Dorothy Dupree**, added that the group needs to think about what next project is now that the dvd is complete.

**James Crouch**, said he suggests something that would encourage enrollment and something on the lines of how an individuals enrollment impacts the community as a whole.

### **Data**

**James Crouch**, said the contract is in place with UCSF. They are developing templates to share with TTAG in the next couple of months to look at or standardize reporting processes. They have not yet received signed contract with NIHB. Need to look at what happens after January. Next steps after new fiscal year, they are looking at quadrupling of resources that are available. Need to give some thought as to how realistic that is at this point.

**Kitty Marx**, said we will check on NIHB contract.

### **LTC**

**Robert Moore**, said he was not at consumer conference when last meeting was held. He will defer to Priya who was at the meeting.

**Priya Helweg**, said they held Long Term care meeting at the NIHB Annual Consumers Conference. There was a small turn out, possibly due to some room confusion. But most

of the NAC's were there. Their input was interesting. Need to take certain things under consideration. The LTC subcommittee had a brainstorming session. The subcommittee talked more about subcommittee tasks, breaking things down into doing smaller work groups on policy issues and programmatic issues. The subcommittee identified two work products to get ready by next meeting. Another issue was to try and figure out ways to alleviate confusion about LTC in annual funding agreements.

**Kris Locke**, said she was at consumer conference and would have liked to attend the LTC mtg. Please make sure she is on email list. Second, it would really help if all the subcommittees had notes for people who weren't able to attend.

**Priya Helweg**, added that Colette will take subcommittee notes from now on. Priya has notes from previous meetings.

**Robert Moore**, said thanks to Priya for doing that. His general election will be over in two weeks so he will be able to devote more time to all this.

**Kitty Marx**, said Colette will be taking notes on all subcommittee conference calls. She will be also putting notes on the webpage.

**Robert Moore**, said thank you to Colette. She is a good Lakota Winyan. (Woman)

**Valerie Davidson**, opened up discussion on response to CMS administrators letter. She thanked all of those people who worked on it.

**Kitty Marx**, said she drafted the letter and got input from and Valerie and Carol. She wanted to be sure TTAG members had draft for today's call. Also received helpful comments from Kris. Letter;

- addressed to Secretary Leavitt
- concerned that Kerry Weems wasn't really on board during all of these internal discussions

**Carol Barbero**, responded that if Weems came back with response that it was not "done on my watch", it is likely he would go forward and say, "but now that it is my watch, here's what I want to do." Her preference is to address the letter to Weems because basic question is one that only Kerry Weems can answer. That is what role is envisioned for the TTAG in the Weems administration.

**James Crouch**, said he would counter that with analogy of 500 pound elephant that occurs with each transition, and the lack of integration of their system under one DHHS, as evidenced by their letter and the IHCA. He votes that letter be sent to Leavitt with parallel follow up from administration.

**Carol Barbero**, said she hears him, but disagrees.

**Kitty Marx**, said all Indian organizations are planning a letter to Leavitt as well because of process by which CMS TTAG was ignored in the development of these comments. That reflects heavily on the administration and what role all of the federal tribal advisory groups actually play in the greater process. The big concern is the lack of process for real input.

**Valerie Davidson**, said she thinks strongly that it should go to the person who wrote the letter, that is Secretary Leavitt. In terms of moving forward, we are looking for motion from TTAG to finalize the letter and send it on.

General Consensus from TTAG participants that it should go to Leavitt.

**Phil Norrgard, made Motion to send letter  
Carolyn Finster Seconded Motion.  
Motion carried unanimously.**

**Valerie Davidson**, said Kitty can finalize the letter.

**Kitty Marx**, gave SCHIP legislation update. There are specific Indian provisions, mostly having to do with outreach and enrollment. Incorporating provisions from Title II of IHCA to improve access to enrollment for Indians in SCHIP. She said there is also a provision in Section 213 that talks about the secretary drafting demonstration model program to address children who are out of state, result of emergencies, hurricanes, and for educational purposes under the Part D program. This provision could be helpful to address the across state borders issues. Special Diabetes was dropped out of House final bill. We do expect Medicare legislation to be introduced by Senate Finance and Special Diabetes reauthorization will hopefully be included in that measure. Kitty reported that another provision expected in the Senate Medicare bill will be to allow incurred cost towards true out of pocket expenses. The House is expected to vote again on October 18<sup>th</sup>. They need 15 additional votes.

**Cinda Hughes**, asked if anyone has seen S1494 on Veterans Indian Health Care Improvement Act that would eliminate co-pay for veterans.

**Kitty Marx**, said it would just authorize for facilitation and cooperation between VA and IHS programs so that when Indian veterans goes to IHS facility that would count as Veterans facility.

**Cinda Hughes**, asked what is the impact fiscally?

**Kitty Marx**, responded that it is just to clarify that IHS may use LTC dollars to pay any expenses that American Indians might incur as result of accessing benefits through V.A.

**Jim Roberts**, explained that Kitty is right. Doesn't remove requirements, it just allows authority for agency to pay it out of another budgetary line item.

**James Crouch**, asked about meeting that has been rescheduled, originally set for November 5<sup>th</sup> and 6<sup>th</sup>.

**Valerie Davidson**, said meeting 6 and 7<sup>th</sup> would be rescheduled. We are looking at November 26 and 27<sup>th</sup>.

Discussion on when to have next meeting/retreat. It was decided that meeting would be held in D.C. proper on 9<sup>th</sup> and 20<sup>th</sup>. Meeting would begin at 8 a.m. – 5 p.m. on 19<sup>th</sup> and 8 a.m. - 3 p.m. on the 20<sup>th</sup>.

**Kitty Marx**, said NIHB will find hotel in D.C. area.

Discussion on agenda for retreat:

**Jim Roberts**, said with regard to agenda topics, we might want to wait until we get more on Strategic Plan and then we would have something to work with.

**Valerie Davidson**, said we were going to try and spend most time on discussions of how to be more effective. Also how to more effectively be able to reach out to immediate office of Secretary.

**Roz Begay**, said leaders on Navajo have expressed an interest in receiving a progress report from TTAG. Will that also be included?

**Valerie Davidson**, said that is a great idea. She said we should also discuss how we can do better job of capturing reports on key issues so that anyone reporting during meetings, etc., has some information to take with them in terms of what we are doing in real time. She was hoping we could go to D.C. to talk with Secretary. She opened up discussion on MLR regulations.

**Kris Locke**, said this has been very difficult for tribes who don't use I H S fiscal intermediary. There is a lot of confusion. NWP AIHB had good training session last month but implementation is difficult.

**Jim Roberts**, said it was quite the run around to get direct info from Meridian. Can CMS help tribes in this area? Can something be done to facilitate collection of these and some type of centralized process that would help. Took 4 -6 weeks to get the items.

**Kris Locke**, said if you call the call center by mistake, you get a long run around. Once you get through to people at Meridian it's alright. But its not a one time piece of information, it has to be secured on ongoing basis..

**Jim Roberts**, said that was most frustrating part, was getting call back from Meridian. You get calls back two weeks later, etc., so can be quite frustrating.

**Kris Locke**, said something from CMS and I H S would be useful so tribes who don't use FI wont have to do this over and over again.

**Valerie Davidson**, any other questions and comments? She opened up discussion on NASMD upcoming meeting on November 15<sup>th</sup> in Washington D.C.

**Roz Begay**, said Across State Borders issue was going to be at NASMD. Anslem will be there.

**Valerie Davidson**, she will also be there in attendance.

**Kitty Marx**, said it is her understanding that across state borders will focus on Unity Treatment Center. She wondered if someone from Nashville would be attending. She also said Colette will be at the meeting.

**Carole Barbero**, said she will be attending.

**Valerie Davidson**, said it would be nice to have more tribal representation for NASMD meeting.

**Dorothy Dupree**, said tribes from Northeast will be there. It has been a big push by regional director to have NASMD look at specifically those two facilities. Unity House and Partridge House.

**David Reede**, asked her where the meeting will be.

**Kitty Marx**, said meeting is in Washington D.C. NIHB can send out link/agenda to people.

**Roz Begay**, said first year there was only a couple people from there area at NASMD mtg.

**Kitty Marx**, said she thought Dorothy had reported that there will be discussion of Alaska home and community based waiver.

**Valerie Davidson**, said that is a separate mtg. She asked participant's to send note to Kitty and Colette to let us know who is going.

**Dorothy Dupree**, said they would like to know who is coming to from TTAG. Please let her know.

Meeting adjourned at 3:50 p.m.