



DEC 10 2015

Administrator
Washington, DC 20201

Dear Tribal Leader:

On November 5, 2009, President Obama issued an executive memorandum requiring all agencies to engage in regular and meaningful consultation and collaboration with tribal officials. On November 17, 2011, the Centers for Medicare and Medicaid Services (CMS) finalized an agency specific policy to establish a clear, concise and mutually acceptable process through which consultation can take place between CMS and tribes.

We know how important Medicare, Medicaid, the Children's Health Insurance Program (CHIP) and the Health Insurance Marketplaces are to Indian tribes and their communities served by Indian health care providers, whether operated by the Indian Health Service (IHS), tribes, tribal organizations or urban Indian organizations. CMS has been a leader in working with federally recognized tribes and regularly engages with the CMS TTAG on CMS policies having tribal implications. CMS believes that this revised policy will provide additional opportunities to work even more closely with tribes on a government-to-government basis.

As part of a periodic review and assessment of the Tribal Consultation Policy, CMS issued a Dear Tribal Leader letter in August 2014 requesting feedback and recommendations on the agency's effectiveness in providing a meaningful consultation process. CMS held an All Tribes' Call on September 15, 2014 to hear comments and answer questions about the policy. In addition, CMS held discussions with state Medicaid directors to receive their feedback and ideas about the state-tribal consultation process. CMS received several comments on the policy from tribes, tribal organizations and state Medicaid agencies. CMS worked closely with the CMS Tribal Technical Advisory Group's (TTAG) tribal consultation policy subcommittee to review comments submitted during consultation.

Based on feedback CMS received through tribal consultation, enclosed is a copy of a revised CMS Tribal Consultation Policy. This revised policy includes a new section eight that incorporates the state/tribal consultation requirements for state Medicaid agencies to obtain the advice and input from Indian health care providers and tribes prior to changes in the Medicaid programs having tribal implications.

I want to thank you for your contributions that helped improve our consultation process. CMS is committed to sustaining our partnership and improving access to health care in your communities.

Sincerely,

Andrew M. Slavitt
Acting Administrator

Enclosure