

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SENATE JOINT MEMORIAL 67

45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002

INTRODUCED BY

Leonard Tsosie

FOR THE INDIAN AFFAIRS COMMITTEE

A JOINT MEMORIAL

**REQUESTING THAT THE NEW MEXICO CONGRESSIONAL DELEGATION AND
THE CHAIRMAN OF THE UNITED STATES SENATE INDIAN AFFAIRS
COMMITTEE SUPPORT ADDITIONAL FUNDING FOR TITLE 5 OF PUBLIC LAW
94-437, THE INDIAN HEALTH CARE IMPROVEMENT ACT, TO INCREASE
RESOURCES TO SERVE THE GROWING INDIAN POPULATIONS IN URBAN
AREAS AND RECOGNIZE THE ELIGIBILITY OF INDIGENT NATIVE
AMERICAN BERNALILLO COUNTY RESIDENTS FOR MEDICAL CARE AT THE
UNIVERSITY OF NEW MEXICO HOSPITAL AS AN ALTERNATE HEALTH CARE
RESOURCE FOR QUALIFYING NATIVE AMERICANS.**

**WHEREAS, Public Law 93-638, the Indian Self-Determination
and Education Assistance Act, encourages tribes to assume
programs, functions, activities and services provided by the
federal government to tribal members through distribution of
federal funds by tribal shares; and**

underscored material = new
[bracketed material] = delete

underscored material = new
[bracketed material] = delete

1 WHEREAS, the Albuquerque area Indian health service
2 policy of 1995, developed in agreement with area tribes, does
3 not include the division of these funds by tribal shares to
4 urban populations; and

5 WHEREAS, Public Law 94-437, Title 5, authorized
6 appropriations for urban Indian populations; and

7 WHEREAS, a mill levy, instituted in 1952, is authorized
8 to be assessed, collected and paid over to the university of
9 New Mexico hospital. The proceeds are dedicated to the
10 operation and maintenance of the university of New Mexico
11 hospital. In exchange for its receipt of the mill levy
12 proceeds, the university of New Mexico hospital is
13 contractually obligated to assume all of Bernalillo county's
14 obligation for health care services by using a portion of the
15 mill levy proceeds for the provision of health care to
16 indigent county residents for as long as it receives those
17 proceeds; and

18 WHEREAS, indigent Native American Bernalillo county
19 residents are eligible for health care services provided by
20 the university of New Mexico hospital programs. The
21 availability of these services for qualifying Native Americans
22 constitutes an alternate resource of health care.
23 Consequently, reimbursements for Indian health services
24 contract health services rendered to this patient population
25 is prohibited by 42C.F.R. 36.24 and 42C.F.R. 36.61;

. 139761. 1

