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**SENATE MEMORIAL 24**

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

**INTRODUCED BY**

**Linda M Lopez**

**A MEMORIAL**

**REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION AND THE INDIAN HEALTH SERVICE TO TAKE ALL ACTION NEEDED TO AMEND THE INDIAN HEALTH CARE IMPROVEMENT ACT TO PROVIDE DIRECT AND CONTINUED FUNDING OF MEDICAL AND DENTAL SERVICES OF THE ALBUQUERQUE AREA INDIAN HEALTH SERVICE FOR THE THIRTY THOUSAND ALBUQUERQUE AREA URBAN INDIAN PEOPLE.**

**WHEREAS, the primary medical and dental care for the approximately thirty thousand American Indians representing over two hundred tribes residing in and around the city of Albuquerque is provided by the Indian health service Albuquerque service unit through the Albuquerque Indian health service hospital and the Indian health service/southwestern Indian polytechnic institute dental clinic, funded annually by the United States congress; and**

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1           WHEREAS, approximately forty percent of the thirty  
2 thousand American Indians living in the Albuquerque area are  
3 Navajo, who, in addition to receiving basic health care from  
4 the Indian health service, are eligible for contract health  
5 care provided by the Albuquerque Indian health service  
6 hospital; and

7           WHEREAS, contracting pursuant to P.L. 93-638, the Indian  
8 Self-Determination and Education Assistance Act, has adversely  
9 impacted the health care delivery system for the thirty  
10 thousand Albuquerque area urban Indians by eliminating or  
11 greatly reducing health care services now available to them  
12 through the Indian health service Albuquerque service unit  
13 because all of the funds appropriated by the United States  
14 congress through the Indian health service are being  
15 contracted or are available for contracting to tribes or  
16 pueblos in the Albuquerque service unit for use within their  
17 communities and not for use in Albuquerque; and

18           WHEREAS, in October 2000, the Indian health  
19 service/southwestern Indian polytechnic institute dental  
20 clinic was to be closed due to the redistribution of funding  
21 to tribes pursuant to P.L. 93-638 contracts, but urban Indian  
22 representatives, with the support of tribes from the  
23 surrounding area and the New Mexico congressional delegation,  
24 managed to keep the dental clinic open with a special one-  
25 million-dollar congressional appropriation; and

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1           WHEREAS, the Albuquerque Indian health service hospital  
2 will, likewise, be forced to reduce health care services, in  
3 the short term, and may be forced to close, in the long term,  
4 if local tribes and pueblos under the Indian health service  
5 Albuquerque service unit continue to contract all available  
6 health care services funding from the Albuquerque Indian  
7 health service unit; and

8           WHEREAS, Albuquerque urban Indian representatives support  
9 the local tribes and pueblos in taking over the Indian health  
10 service health care delivery system but, in return, request  
11 support from the tribes and pueblos to keep the health care  
12 services available to the Albuquerque area urban American  
13 Indian population of thirty thousand; and

14           WHEREAS, P.L. 94-437, the Indian Health Care Improvement  
15 Act, which is now before the United States congress for  
16 action, fails to provide for continued health care services  
17 and federal funding through the existing urban Albuquerque  
18 Indian health service facility for the Albuquerque area urban  
19 Indian users and, thus, is in conflict with the Snyder Act of  
20 1921; and

21           WHEREAS, although P.L. 93-638 requires the Indian health  
22 service to consult with Indian communities on health issues,  
23 and while tribes and pueblos are represented on the Indian  
24 health service Albuquerque service unit board that is  
25 organized to provide advice on funding and other health policy

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1 issues, it does not have a similar formal system of receiving  
2 public input into matters that affect the grassroots  
3 Albuquerque area urban Indian community and, in fact, a  
4 request for grassroots urban Indian representation on the  
5 Indian health service Albuquerque service unit board was  
6 previously denied by the Albuquerque area Indian health  
7 service;

8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE  
9 OF NEW MEXICO that the New Mexico congressional delegation,  
10 the federal department of health and human services and the  
11 Indian health service be urged to provide the funding required  
12 for operation of the Albuquerque service unit of the Indian  
13 health service to ensure that the thirty thousand urban  
14 American Indians, including many Navajos, in the Albuquerque  
15 area receive adequate health care and to fully fund dental  
16 services through the Albuquerque Indian health  
17 service/southwestern Indian polytechnic institute dental  
18 clinic; and

19 BE IT FURTHER RESOLVED that the Indian health service  
20 Albuquerque service unit board be requested to establish a  
21 formal advisory group of grassroots Albuquerque urban Indian  
22 representatives to work together with the Albuquerque area  
23 Indian health service to address Indian health service  
24 Albuquerque service unit funding and other Indian health-  
25 related issues; and

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1 BE IT FURTHER RESOLVED that the New Mexico congressional  
2 delegation and the Indian health service be requested to  
3 address the current Albuquerque urban Indian health care  
4 delivery situation so that the Albuquerque area Indian health  
5 service can continue to provide direct health care services to  
6 Albuquerque area urban Indians and that they also ensure that  
7 the following provisions and new language, proposed by the  
8 Albuquerque commission on Indian affairs, be inserted into  
9 P. L. 94- 437, Title V, Section 512:

10 "Notwithstanding any other provisions of law, the  
11 Albuquerque Area Indian Health Service Dental  
12 Clinic and Hospital, which now serve urban American  
13 Indians residing in the Albuquerque urban area,  
14 shall continue to serve urban Indians and be  
15 further designated, in addition to continuing to  
16 serve tribes, as a Service and/or Operating Unit in  
17 the allocation of additional resources and  
18 coordination of care for the Albuquerque urban  
19 Indian population and, as such, those resources  
20 specifically appropriated by the U. S. Congress and  
21 health care reserved for the urban Indian user  
22 population shall not be subject to the provisions  
23 of the Indian Self-Determination and Education  
24 Assistance Act and, further, the designated urban  
25 Service Unit shall establish, with input by the

1 Albuquerque grassroots urban Indian community, an  
2 urban Indian advisory group to further the  
3 consultation provisions of this Act."; and

4 BE IT FURTHER RESOLVED that copies of this memorial be  
5 transmitted to the members of the New Mexico congressional  
6 delegation, the Indian health service Albuquerque service unit  
7 board, the director of the Indian health service of the  
8 federal department of health and human services and the  
9 director of the Albuquerque area Indian health service.

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