

## North Sound ACH Tribal Collaboration and Communication Policy

### I. Purpose

Recognizing the sovereign nation status of the tribes in the the state of Washington, and that the North Sound Accountable Community of Health (ACH) is not a government entity, the purpose of this policy is to establish a clear and concise collaboration policy and communication procedure between the ACH and tribal governments, Indian Health Service (IHS) facilities, and Urban Indian Health Programs (UIHPs) in the development of all ACH policies or actions. The North Sound ACH cannot require participation of any tribal entity. Appointment of a tribal representative to the ACH Board of Directors is entirely voluntary.

The Medicaid Demonstration aims to transform the health care delivery system through regional, collaborative efforts led by Accountable Communities of Health (ACH) and tribal governments and new, supportive services to address relevant social determinants of health.

### II. Governance

The ACH will hold one seat on its Board for each tribe in the North Sound region to appoint a representative to sit on the board as a full voting member of the Board. This agreement will be included in the North Sound ACH bylaws.

The ACH and every tribe, IHS facility, and UIHP in the North Sound region may agree in writing to implement a modified version of Part II to support meaningful and feasible collaboration and engagement, including engagement with each sovereign tribal government, IHS facility, and UIHP.

### III. Collaboration

The ACH will collaborate and communicate with tribal governments, IHS facilities, and UIHPs in a manner that respects the tribes' status as sovereign nations and the IHS facilities' and UIHPs' status as congressionally established entities charged with meeting the federal trust responsibility and U.S. treaty obligations to American Indians/Alaska Natives (AI/ANs).

- The ACH will not refer to tribes, IHS facilities, or UIHPs as stakeholders but as partners.
- The ACH will collaborate with tribes, IHS facilities, and UIHPs from the beginning of and throughout the planning and development process and engage in inclusive decision-making with tribes, IHS facilities, and UIHPs for all ACH actions that have an impact on AI/ANs, tribes, IHS facilities, or UIHPs (as determined in accordance with Section IV) and not just solicit feedback from tribes, IHS facilities, and UIHPs.
- The ACH will respect and support the need for:
  - Tribal representatives to inform their tribal councils and receive directives from their tribal councils on whether and how the tribe would like to proceed with respect to any ACH action.
  - IHS facility representatives to inform their agency leadership and receive directives from their agency leadership on whether and how the IHS facility would like to proceed with respect to any ACH action.
  - UIHP representatives to inform their boards and receive directives from their boards on whether and how the UIHP would like to proceed with respect to any ACH action.

If a tribe, IHS facility, or UIHP declines an invitation to collaborate, the ACH will maintain a standing invitation for the tribe, IHS facility, or UIHP to collaborate with the ACH.

IV. Determination of ACH Actions Having Impacts on AI/ANs, Tribes, IHS, or UIHPs

The ACH will establish a committee of ACH and tribal/IHS/UIHP designees. Such designees must include the ACH lead staff member (e.g., ACH Executive Director) and at least one ACH board member who is not a representative of tribes, IHS facilities, or UIHPs. The committee will meet regularly to determine whether any ACH actions being contemplated, including the development of policies, programs, or agreements, will have an impact on AI/ANs, tribes, IHS, or UIHPs. The ACH lead staff person will ensure that sufficient information about ACH actions is communicated during the meeting, and prior to implementation, to enable the committee to determine whether those actions will have an impact on AI/ANs, tribes, IHS, or UIHPs. If no tribe, IHS facility, or UIHP designates an individual to serve on this committee and until such time when a tribe, IHS facility, or UIHP does designate an individual to serve on this committee, the board of the ACH will make determinations of whether any ACH actions being contemplated will have an impact on AI/ANs, tribes, IHS, or UIHPs and inform the tribes, IHS facilities, and UIHPs.

The ACH and every tribe, IHS facility, and UIHP in this region may agree in writing to implement a modified version of Part IV to support meaningful and feasible collaboration and engagement, including engagement with each sovereign tribal government, IHS facility, and UIHP.

V. Communication

- A. The ACH will work with each of the individual tribes, IHS facilities and UIHPs to ensure that all contact information is up-to-date and the correct representatives are notified and regularly receive information.
- B. The ACH will effect delivery of written information to tribes, IHS facilities, and UIHPs concurrent with, and in the same format and method as, the delivery of written information to board members for board meetings, to committee members for committee meetings, and to other ACH participants for participant or other meetings.

VI. Sovereignty and Disclaimer

The ACH respects the sovereignty of each tribe located in the State of Washington and that the tribes and UIHPs have the right to request consultation with the State of Washington and/or the United States government in the event the ACH fails to address the impacts on AI/ANs, tribes or UIHPs. In executing this policy, no party waives any rights, privileges, or immunities, including treaty rights, sovereign immunities and jurisdiction. This policy does not diminish any rights or protections afforded AI/AN persons or tribal governments or entities under state or federal law. The ACH acknowledges the right of each tribe and UIHP to consult with state and federal agencies, including, where appropriate, the Health Care Authority, the Governor of the State of Washington, the Region X Administrator of the U.S. Department of Health and Human Services, or the President of the United States.

VII. Effective Date

This policy will be effective on 5/28/2017, and will be reviewed and evaluated at least annually, or sooner at the request of any tribe or UIHP, or at the request of a majority of the North Sound ACH board members.

APPROVED BY: ACH Board on 5/28/2017 (date)