

Tribal Self-Governance Advisory Committee (TSGAC) Meeting Minutes

Dates: July 23-24, 2025

Location: Embassy Suites, 900 10th St NW, Washington, DC / Zoom

Day 1: Wednesday, July 23, 2025

Roll Call & Introductions

- Quorum established.

Opening Prayer

- Offered by Eileen Sylvester (Alaska Area)

Committee Business

- Motion: *Approval of March 2025 meeting minutes.* Vote: Unanimous.
- A nomination was made for the California Area and it was approved by the committee.

Opening Remarks

Chair Anoatubby welcomed attendees, praised conference turnout, and stressed the importance of unity in addressing emerging challenges.

Stacey Ecoffey provided updates on consultations, internal staff training, and leadership changes; emphasized leveraging tribal-federal relationships. Specifically, Stacey provided updates on IHS activities, emphasizing:

IHS Realignment & Workforce Challenges

- Ongoing internal discussions about the meaning and implications of “realignment.”
- IHS continues to face barriers filling SES and other critical positions due to hiring restrictions.
- Significant operational impacts across budget, acquisitions, HR, and service units.

Internal Training for IHS Staff

- Staff training is underway to improve understanding of Title I/Title V authorities and to reduce internal fears about Tribal assumptions of programs.

- Training aims to ensure staff correctly support Tribal flexibilities and improve negotiations.

Leadership Engagement

- Secretary Kennedy and Senior Advisor Mark Cruz have been actively engaging with Tribal Nations and made several visits to Indian Country to meet directly with Tribes.

Office of Tribal Self-Determination and Self-Governance (OSD) Update

- Rena Macy detailed the January 2025 reorganization, which merges Title I and Title V under one umbrella into the new office – OSD.
 - Five functional divisions: Payments, ISDEAA Negotiations, Contract Support Costs, 105(l) Leases, and Training.
- Reviewed CSC implementation steps; urged tribes to complete program income certification forms.
 - Early estimates show \$160M in need across 30 Tribes, suggesting a national range of \$1–2 billion.
 - Tribes are encouraged to submit certification forms and begin discussions with ALNs.
 - Training for Tribes is expected later in the summer.
- Reported that 60% of the IHS budget now flows through ISDEAA agreements.
 - 147 total funding agreements now represent 396 Tribes/Tribal organizations.
- Highlighted recent and pending service unit assumptions and cooperative agreement funding opportunities.
 - Three service units have already been assumed in 2025: Spokane, Pamunkey, and Little Shell.
 - 147 total funding agreements now represent 396 Tribes/Tribal organizations.
 - Four additional assumptions are in negotiation, representing ~\$55M.
- 2020–2021 Self-Governance and CSC reports are nearing completion and expected to be released for Tribal review within 30–60 days.
- Reissued NOFOs for planning and negotiations grants are open through August 1 for Tribes seeking planning/negotiation funding.
- Tribal leaders raised significant issues related to:
 - Delays, inconsistent interpretations, and burdens created in CSC negotiations.

- Disagreement with IHS's position on non-beneficiary CSC reimbursement.

Office of Resource Access and Partnerships (ORAP) Overview

Tracy summarized major issues within the Office of Resource Access & Partnerships.

Unmet Need Reporting

- PRC unmet need reporting is required for federal sites but optional for Tribal programs.
- Only ~32 Tribal programs submitted data last year, likely underestimating true unmet need.
- Expanded outreach and clearer communication will begin this fall to improve reporting.

Catastrophic Health Emergency Fund (CHEF)

- Annual CHEF funding remains at \$54M.
- FY 2025 threshold reduced to \$19,000.
- Reimbursements processed first-in, first-out, with ongoing backlogs.
- Electronic submission significantly improves accuracy and processing time.
- Tribal leaders raised concerns about the burden on small PRC programs and the lack of data on real-world impacts.

Self-Governance Expansion to HHS Programs

- Winn Davis and Jay Spaan reported on efforts to extend self-governance to HHS, noted legislative obstacles, and potential paths forward.

ACA/IHCIA Update

- Cyndi Ferguson and Elliott Milhollin summarized training initiatives to strengthen ACA/IHCIA understanding among tribes.
 - Highly attended training in Tulsa (108 participants, 52 Tribes).
 - Updated issue briefs posted online.
 - Strong interest from Tribes for future regional trainings.

TTAG Administrative Priorities

- Ensuring Medicaid and Medicare reforms protect Tribal programs.

- Pushing for fair reimbursement rates and enforcement of managed care protections.
- Shielding AI/AN beneficiaries from work requirements and redetermination burdens under H.R. 1.

Next Steps

- Additional training planned for later in the year.
- Continued data analysis, including updated enrollment trends.
- Strengthened collaboration with Tribal Technical Advisory Group (TTAG).

Day 2: Thursday, July 24, 2025

Budget Update

- Curtis presented the FY 2026 budget overview, warning of stagnant tribal allocations despite increased IHS funding, and urged tribes to track area-level distributions.

Discussion with Acting IHS Director

Ben Smith emphasized:

IHS is Entering a New Era

- Consultation highlighted need to maintain and strengthen multiple advisory bodies rather than centralizing them.
- Supreme Court rulings, 105(l) growth, staffing limitations, and system weaknesses require new strategies.

Agency Priorities

- Patient safety and quality of care.
- Full compliance with ISDEAA and statutory obligations.
- Addressing workforce shortages and operational bottlenecks.
- Maximizing Secretary Kennedy's support and opportunities for policy reform.

Ben encouraged Tribal leaders to “think big” and bring bold solutions forward, noting unprecedented openness from HHS leadership.

IPA & MOA Agreements

A discussion arose regarding changes to Intergovernmental Personnel Act (IPA) agreements and MOAs used when federal employees work under Tribal programs. IHS indicated that many of the “changes” are not actually changes and have been in place for some time.

- IPA agreements are much longer.
- New terms require Tribes to:
 - Pay federal severance costs—which can reach *a full year’s salary per employee*
 - Cover federal workers’ comp or unemployment costs when federal administrative errors occur
 - Accept long termination notice periods (120–180 days), which Tribes believe create fiscal burdens
- IHS is attempting to apply new templates retroactively, including long-standing agreements.
- The changes are seen by Tribes as a major disincentive to assuming IHS programs.
- Tribes insisted IPA/MOA templates must undergo Tribal consultation before implementation.
- IHS acknowledged poor communication and agreed the issue should return to TSGAC for deeper review.

Discussion with USDA Leadership

- TW Shannon emphasized linking food security and health outcomes; expressed support for broader USDA self-governance.
- Members discussed countering the USDA opposition with education.

Coalition for Tribal Sovereignty Budget Analysis

- Tyler Scribner presented findings on HHS budget lines affecting tribal services; recommended priority areas for advocacy.

Legislative Update

- Elliott Milhollin provided status updates on key bills and encouraged coordinated messaging to congressional committees.

CMS Update

CMS addressed implementation of the One Big Beautiful Bill Act, including:

Tribal Exemptions

- Exemption from Medicaid work requirements
- Exemption from six-month eligibility redeterminations
- Continued exemption from Medicaid cost-sharing requirements

Rural Hospital Transformation Fund (\$50B)

- CMS will release guidance soon
- Tribes pushed for:
 - Direct Tribal access to funds
 - State plans *required* to include Tribal input
 - CMS-issued Tribal guidance to ensure uniform state compliance

Committed to carrying Tribal concerns forward and engaging at TTAG.

VHA Office of Tribal Health

- Outlined veteran healthcare collaborations and expansion opportunities in tribal communities.

Adjournment