



**NATIONAL COUNCIL OF URBAN INDIAN HEALTH
RESOLUTION IN SUPPORT OF THE SUBSTANCE ABUSE AND
MENTAL HEALTH SERVICES ADMINISTRATION DEVELOPMENT
AND ADOPTION OF AN URBAN CONFER POLICY**

WHEREAS, the National Council of Urban Indian Health (NCUIH) was founded to support the development of quality, accessible, and culturally sensitive health care programs for American Indians/Alaska Natives (AI/AN)s living in urban communities; and

WHEREAS, NCUIH envisions a nation where comprehensive, culturally- competent personal and public health services are available and accessible to AI/ANs living in urban communities throughout the United States; and

WHEREAS, NCUIH strives to improve the health of the over 70 percent of the AI/AN population living in urban settings, supported by quality, accessible health care centers; and

WHEREAS, the United States has a unique trust obligation for the provision of health care to AI/ANs, which dates back to early treaties between the United States and tribes and has been reinforced for hundreds of years through law; and

WHEREAS, Congress has long recognized that the federal government's obligation to provide health care for AI/AN people follows them off of reservations;¹ and

WHEREAS, in 24 U.S.C. § 1602(a)(1) Congress declared that "it is the policy of this Nation, in fulfillment of its special trust responsibilities and legal obligations to Indians . . . to ensure the highest possible health status for Indians and urban Indians and to provide all resources necessary to effect that policy"; and

¹ See e.g., U.S. Congress, American Indian Policy Review Commission, Vol. I Final Report No. ED164229 at 434 (1977).





WHEREAS, fulfillment of the trust obligation requires consideration of AI/ANs residing in urban areas; and

WHEREAS, Urban Indian Organizations (UIOs) provide culturally competent, high quality health services to AI/ANs residing in urban areas; and

WHEREAS, UIOs are an integral faction of the AI/AN health care delivery system (IHS/Tribal/UIO) and are thus integral to the federal government's fulfillment of its trust obligation to provide health care to AI/AN people; and

WHEREAS, it has been longstanding United States policy to fulfill this trust obligation through executive and legislative actions; and

WHEREAS, the federal trust responsibility to provide health care to AI/ANs extends to all government agencies; and

WHEREAS, the Indian Health Service (IHS) has an obligation under the Indian Health Care Improvement Act (IHCA)² to hold conference with UIOs in carrying out the IHCA; and

WHEREAS, each agency under the Department of Health and Human Services, including the Substance Abuse and Mental Health Services Agency (SAMHSA), should confer with UIOs when actions are likely to impact urban AI/AN health; and

WHEREAS, SAMHSA addresses mental health and substance use issues among AI/ANs; and

WHEREAS, UIOs serve AI/AN people residing in urban areas who experience similar mental health and substance use disparities to AI/ANs residing on reservations; and

² Patient Protection and Affordable Care Act, Public Law 111-148, as amended by the Health Care and Education Reconciliation Act, Public Law 111-152.





WHEREAS, SAMHSA has supported a multitude of collaborative efforts with UIOs to address critical AI/AN behavioral health issues related to substance use disorders, suicide prevention, youth, and access to mandated mental health benefits; and

WHEREAS, since 2007, SAMHSA has maintained a SAMHSA-specific tribal consultation policy that outlines the protocol and process for SAMHSA and tribes; and

WHEREAS, SAMHSA has no comparable policy outlining a process for urban confer with UIOs; and

WHEREAS, a SAMHSA Urban Confer policy would facilitate critical two-way communication between SAMHSA and UIOs and further strengthen their existing strong partnership; and

WHEREAS, an Urban Confer policy would assist SAMHSA in upholding its federal trust obligation to ensure the highest possible health status for urban Indians, thereby reducing the behavioral health challenges and significant health disparities that urban AI/ANs experience; and

THEREFORE BE IT RESOLVED, that the National Council of Urban Indian Health supports the development of an effective SAMHSA Urban Confer policy that furthers SAMHSA's commitment to upholding the federal trust obligation with AI/ANs through consultation, outreach, education, and engagement through addressing mental health and substance use issues among American Indians and Alaska Natives.

CERTIFICATION

The foregoing resolution was adopted by NCUIH on July 29th, 2019 with a quorum present.

Maureen Rosette, President

Linda Son-Stone, Secretary

