

USET SPF Alert: Oppose Changes to 100% FMAP – July 29, 2020

Dear USET SPF Board of Directors and DC Tribal Reps,

As negotiations on a 4th COVID-19 relief package continue, we have become aware of a proposal to fundamentally change the way the federal trust obligation applies to the Medicaid program. Led by Sen. Thune (R-SD), a group of members of the Senate Finance Committee are considering the inclusion of language that would amend the Social Security Act to extend 100% Federal Medical Assistance Percentage (FMAP) to states for Medicaid services furnished by non-Indian Health Care Providers (IHCPs) to Native beneficiaries. Current law provides for 100 percent FMAP reimbursement to states for services to Native people received through IHCPs as part of a package of laws designed to bring additional federal Medicaid resources into the Indian Health System.

If enacted, the provision would expand 100% FMAP in qualifying states to all services provided to Native people, regardless of location, thereby increasing significant Medicaid reimbursement funding to states and non-Indian providers with no guarantee that additional funding will support the Indian Healthcare System or provide better care to our patients. Instead, it would allow states to balance their Medicaid budgets at the direct expense of the Indian Health System and undermine 40 years of established Indian Medicaid policy. USET SPF is strongly opposed to this proposal, which is similar to those we have advocated against in the past, including during Affordable Care Act repeal and replace efforts [see [USET SPF Resolution 2018 SPF:013](#)].

Earlier this week, USET SPF participated in the drafting and transmission of a [joint inter-Tribal organization letter](#) [linked] to the Senate Finance Committee urging the rejection of this proposal for inclusion in the forthcoming COVID relief legislation. The letter was signed by 17 Tribal Nations and organizations in total, including the National Indian Health Board and the National Congress of American Indians. We encourage our member Tribal Nations to join us in showing that Indian Country is uniformly opposed to this provision by sending similar letters. We enclose a [template letter](#) [linked] for your use.

USET SPF remains committed to ensuring that this and other harmful policy is not included in the 4th package. We will continue to keep you apprised of any developments.

Thank you,

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