
SENATE BILL 6608

State of Washington

58th Legislature

2004 Regular Session

By Senators Thibaudeau, Hargrove, Rasmussen, Winsley, Prentice and Kohl-Welles

Read first time 01/27/2004. Referred to Committee on Health & Long-Term Care.

1 AN ACT Relating to establishing a relationship and accountability
2 among Washington state and American Indian tribes regarding health care
3 services; adding a new chapter to Title 43 RCW; and repealing RCW
4 43.70.590.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** Consistent with the centennial accord, the
7 new millennium agreement, related treaties, and federal and state law,
8 it is the intent of the legislature to establish a framework whereby
9 the state and federally recognized tribes jointly establish operations
10 and methods of accountability to provide health care services to
11 maintain and improve the health status of American Indians residing in
12 Washington state.

13 NEW SECTION. **Sec. 2.** The definitions in this section apply
14 throughout this chapter unless the context clearly requires otherwise.

15 (1) "Agencies" or "agency" means the department of health,
16 department of social and health services, state health care authority,
17 department of labor and industries, state board of health, and office
18 of the insurance commissioner.

1 (2) "Plan" means the American Indian health care plan developed
2 under section 6 of this act.

3 (3) "Lead agency" means the agency appointed by the governor to
4 meet the requirements set forth in section 4 of this act.

5 (4) "Tribes" are those tribes federally recognized in accordance
6 with the regulations of the United States department of the interior,
7 bureau of Indian affairs.

8 (5) "Subcabinet" means the subcabinet on health care or similar
9 body created by the governor comprised of agencies, related
10 governmental departments, and a tribal representative appointed under
11 section 3 of this act.

12 (6) "Indian health care system" means those tribal, Indian health
13 service, and urban Indian health programs that receive funding from the
14 federal Indian health service appropriation.

15 NEW SECTION. **Sec. 3.** Upon a recommendation of the state's
16 American Indian health organization representing the largest number of
17 tribal leaders, the governor shall appoint the tribal representative to
18 the subcabinet as an advocate for Indian health care needs.

19 NEW SECTION. **Sec. 4.** (1) The subcabinet has the following
20 responsibilities:

21 (a) Recommend to the governor a lead agency to fulfill requirements
22 as specified in subsection (2) of this section;

23 (b) Review the plan prepared under section 6 of this act and make
24 recommendations to the governor regarding its approval;

25 (c) Convene, at least annually, a tribal health care management
26 meeting to provide a public forum for review of tribal and agency plan
27 performance and related issues;

28 (d) Develop, in consultation with the tribes, specific health care
29 performance measures.

30 (2) The lead agency has the following responsibilities:

31 (a) Consistent with funds identified for this purpose, provide and
32 coordinate the necessary resources and technical support to implement
33 this chapter;

34 (b) Coordinate the plan development required in section 6 of this
35 act;

1 (c) Administer funds and grants specifically designated for the
2 purpose of this chapter;

3 (d) Appoint work groups and ad hoc committees, as necessary.

4 NEW SECTION. **Sec. 5.** Each agency and tribe has the following
5 responsibilities under this chapter:

6 (1) Work with the governor to ensure the provisions of the
7 centennial accord and new millennium agreement are implemented;

8 (2) Participate in the development of the plan and performance
9 measures standards;

10 (3) Create separately, or integrate into an existing tribal or
11 agency strategic plan, related objectives, strategies, and performance
12 measures consistent with the standards established under section 6 of
13 this act and strategic planning requirements set forth by the office of
14 financial management;

15 (4) Collect the necessary data to monitor plan performance and
16 provide the data for review at Indian health care management meetings
17 and for related purposes.

18 NEW SECTION. **Sec. 6.** The American Indian health care delivery
19 plan is established to be developed as follows:

20 (1) The plan must encompass a six-year period but may be revised
21 biennially consistent with the development of the state's biennial
22 budget.

23 (2) The plan must be developed in coordination with the state
24 health report, as required by chapter 43.20 RCW, and similar reporting
25 documents.

26 (3) It is the responsibility of the lead agency to oversee the
27 plan's development and to assure tribal consultation during the
28 process.

29 (4) The plan must include the following elements:

30 (a) Background and analysis, to include:

31 (i) Descriptions of all treaties, accords, agreements, statutes,
32 regulations, case law governing tribal health care, and related major
33 amendments and modifications during the previous biennium;

34 (ii) Description of the state's Indian health care system;

35 (iii) Forecasts and trends on: Indian morbidity, mortality, and

1 other selected health status indicators; funding and service delivery
2 issues; and adequacy of programs, providers, and facilities to meet
3 needs;

4 (iv) A summary of major Indian health care problems and issues,
5 including methods and analyses of identification;

6 (b) Strategies plan development, to include:

7 (i) Goals and strategies of each tribe and agency on methods to
8 address identified problems and issues;

9 (ii) Statutory and regulatory changes necessary to implement
10 strategies;

11 (iii) Related budget requirements;

12 (c) Performance measurements, including specific quantifiable
13 outcome measures that are consistent with the standards developed by
14 the subcabinet and of the office of financial management.

15 NEW SECTION. **Sec. 7.** The governor has the following
16 responsibilities:

17 (1) Work with tribes and agencies to ensure the centennial accord
18 and the new millennium agreement are implemented;

19 (2) Appoint the tribal subcabinet member under section 3 of this
20 act in a timely manner;

21 (3) Attend an Indian health care management meeting at least
22 annually;

23 (4) Ensure that Indian health care issues received adequate
24 deliberation in the preparation of the state budget or key health
25 policy legislation, regulations, and executive orders.

26 NEW SECTION. **Sec. 8.** RCW 43.70.590 (American Indian health care
27 delivery plan) and 1995 c 43 s 4 & 1993 c 492 s 468 are each repealed.

28 NEW SECTION. **Sec. 9.** Sections 1 through 7, 10, and 11 of this act
29 constitute a new chapter in Title 43 RCW.

30 NEW SECTION. **Sec. 10.** This act does not affect any existing right
31 acquired or liability or obligation incurred under the sections amended
32 or repealed in this act or under any rule or order adopted under those
33 sections, nor does it affect any proceeding instituted under those
34 sections.

1 NEW SECTION. **Sec. 11.** This act may be known and cited as the Sue
2 Crystal Indian health act.

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