

IHS TRIBAL SELF-GOVERNANCE ADVISORY COMMITTEE

c/o Self-Governance Communication and Education

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Sent electronically to lynda.gyles@hhs.gov

November 3, 2015

The Honorable Sylvia M. Burwell, Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

RE: Expediting the Review and Publication of the Final Rule Medicare-Like Rate

Dear Secretary Burwell:

On behalf of the Indian Health Service Tribal Self-Governance Advisory Committee (IHS-TSGAC), I write to ask that the Department of Health and Human Services (HHS) assist Tribal leaders in expediting the review and publication of the Final Rule related to expand the Medicare-Like Rate, entitled "*Payment for Physician and Other Health Care Professional Services Purchased by Indian Health Programs and Medical Charges Associated With Non-Hospital-Based Care*," 79 Fed. Reg. 72160, originally published on December 5, 2014.

TSGAC, Tribes, and many Tribal organizations submitted commitments on the proposed rule in February of this year. If Tribal comments are incorporated, TSGAC believes that the Final Rule would allow the flexibility IHS, Tribal, and Urban (I/T/U) facilities need to provide continued access to care, to lower health care costs, and to maximize Purchased/Referred Care (PRC) programs. The Obama Administration has made great strides to strengthen and support the I/T/U system, publishing a final rule with the Tribal revisions would represent another achievement in this area.

As the final months of the Administration wind down, there will be fewer and fewer opportunities to successfully move Tribal policy priorities forward. We hope that you will support our comments and work collectively with colleagues at HHS and the Office of Management and Budget to publish a final rule that create another cost-saving opportunity for the I/T/U System.

I have enclosed our original comments for your review and look forward to seeing the final rule published soon. If you have any questions or would like to discuss the rule further, please contact me at lmalerba@moheganmail.com. Thank you.

Sincerely,



Chief Lynn Malerba, Mohegan Tribe
Chairwoman, TSGAC

Enclosure: TSGAC Letter to Ms. Betty Gould, Regulations Office, IHS regarding Comments on IHS Proposed Rule entitled "*Payment for Physician and Other Health Care Professional Services Purchased by Indian Health Programs and Medical Charges Associated with Non-Hospital-Based Care*," 79 Fed. Reg. 72160 (Dec. 5, 2014)

cc: Robert McSwain, Principal Deputy Director, IHS
Mary Smith, Deputy Director, IHS
P. Benjamin Smith, Director, Office of Tribal Self-Governance, IHS