

TRIBAL SELF-GOVERNANCE ADVISORY COMMITTEE

c/o Self-Governance Communication and Education

P.O. Box 1734, McAlester, OK 74501

Telephone (918) 302-0252 ~ Facsimile (918) 423-7639 ~ Website: www.tribalselfgov.org

Sent electronically: Denise.Turk@ihs.gov

April 18, 2016

Mary Smith, Principal Deputy Director
Indian Health Service
The Reyes Building
801 Thompson Avenue, Suite 400
Rockville, MD 20852

**RE: CHEF Proposed Rule 42 CFR Part 136 - RIN 0905AC97, Catastrophic Health
Emergency Fund, File Code 0905AC97**

Dear Mrs. Smith:

On behalf of the Indian Health Service (IHS) Tribal Self-Governance Advisory Committee (TSGAC), I write to reiterate the request made at our IHS TSGAC on March 30-31, 2016 to pull the current above-referenced rule, in order to conduct Tribal consultation, and then re-issue the rule.

This request is being made because IHS did not conduct Tribal consultation before the proposed rule was released. Although some portions of this were discussed at the Purchased and Referred Care Workgroup, this cannot be substituted for Tribal Consultation. Tribal consultation is the avenue for Tribes to discuss the issues thoroughly, resulting in a meaningful rule that has been thoroughly vetted.

IHS has been a leader in conducting Tribal consultation and we request that leadership continue through conducting Tribal consultation on the Catastrophic Health Emergency Funding (CHEF) proposed rule.

Thank you again for attending our March 30-31 meeting and we look forward to continuing our work with you on this proposed rule and many other initiatives in Indian Country. Should you have any questions or wish to discuss further, please do not hesitate to contact me at (860)862-6192; or via email: lmalerba@moheganmail.com.

Sincerely,



Chief Lynn Malerba, Mohegan Tribe of Connecticut
Chairwoman, IHS TSGAC

cc: P. Benjamin Smith, Director, Office of Tribal Self-Governance
TSGAC Members and Technical Workgroup