**TSGAC MEETING: March 8, 2023, Day 1**

***NOTES FOR THE AGENDA TOPICS***

1. ***OTSG Update***

Anticipated topics to be covered:

* OTSG Updates
* PSFA Manual
* IHS Funds Management System
* Tribal Consultation Workgroup Update

Background: PSFA Manual- At our November meeting, OTSG stated that the PSFA manual was a project that was sidelined due to COVID but that it is still a priority. The manual needs to be updated, some work has been done but more work is needed before it can move on to the next phase which is to share with a small workgroup.

Key Questions: Update on PSFA manual? Who will serve on workgroup?

Background: IHS Funds Management System- Some Tribes have been experiencing issues with accessing their documents on the IHS Funds Management System. There are times when the files come up as corrupt. This makes it difficult for Tribes to do research.

Key Questions: What is IHS doing to resolve these issues?

1. ***IHS Work Plan***

Background: The IHS published in 2023 workplan summary <https://www.ihs.gov/quality/work-plan-summary/>. Part of the workplan is to expand ISDEAA Training.

Key Questions: how will the workplan guide IHS activities and priorities? who is the target audience for the ISDEAA training (IHS, HHS, Tribes)? how will it be expanded?

1. ***ACA Project Update***
2. ***Transitioning Out of the Public Health Emergency***

Background: President Biden has stated the Public Health Emergency will expire in May. There are quite a few ways this will impact operations, funding, billing, etc.

1. ***Strategic Planning Update/Discussion***

Background: To enhance the effectiveness and efficiency of the TSGAC, the committee is developing a strategic plan. At the November meeting, TSGAC reviewed the results of focus groups held with TSGAC members and identified the following priorities that could be incorporated into the plan. A meeting was held on December 14, 2022, the subcommittee leads discussed the roles and responsibilities of the subcommittee and each lead was to begin drafting the goals, actions, and metrics for their assigned subcommittee.

* Self-Governance v. Grant Mechanisms for the Delivery of Funds (Kasie Nichols/Anna Johnson)
* Tribal Shares, PSFAs, and Negotiations (Linda Austin)
* Support and Promotion of Self-Governance Authority (SGCETC)
* Consistency Across Areas (Karen Fierro)
* Timely Distribution of Funds, Information, and Responses (Candice Skenandore/Jennifer Cooper)
* Section 105(l)
* TSGAC Operations (SGCETC, Candice Skenandore, SENSE)
* Health IT Modernization (Jim Roberts)
* Data Requirements/ Needs (Melanie Fourkiller/Kasie Nichols)
* Recruitment and Retention Issues (Stephen Stake)
* Contract Support Costs (Linda Austin/Kasie Nichols)

1. ***SGCETC Update***

**TSGAC MEETING: March 9, 2023, Day 2**

***NOTES FOR THE AGENDA TOPICS***

1. ***Discussion with SAMHSA***

*Behavioral Health & Substance Abuse Disorder Resources*

Background: Congress authorized a new behavioral health and substance use disorder resources for Native Americans program. It provides authority for a Tribe or Tribal Organization to request funds be awarded through ISDEAA agreements. In addition, the Secretary, in consultation with the IHS Director, shall develop a formula to determine the amount of an award.

* + SAMHSA is taking the position that they have the authority to use ISDEAA agreements for funding provided through this new program, but no additional funding was appropriated.
  + Although the law says “may” award funds through ISDEAA, Senator Smith (D-MN) sent a letter to SAMHSA stating that the intention is to use ISDEAA agreements if the Tribes want it.

For Discussion:

* Did SAMHSA include funding for the new program in their Congressional justification?
* The authorization allows up to $80 million for FYs 2023-2024, TSGAC recommends SAMHSA request the full amount in FY 2024.
* How do SAMHSA and IHS plan to develop a formula to determine the award amounts?
* How can Tribes be involved?

*Behavioral & Mental Health COVID Funds*

Background: At our last TSGAC meeting, we talked with the IHS Director about concerns regarding our elder population and the impacts they have experienced from the pandemic. Tribal Nations have seen an increase in mental and behavioral health issues that arose from COVID and are looking at ways to address these needs. This includes our citizens that reside in long-term care and assisted living facilities. They are seeing an increase in dementia and Alzheimer’s and their insurance is running out and are having to move to facilities that outside of the community. Our elders want to stay in their homes or at least stay in their communities.

For Discussion: How is SAMHSA partnering with the IHS and the Administration for Community Living to address the increase mental and behavioral health issues impacting Tribal Nations?

1. ***Behavioral Health Discussion***

Background: For the last few meetings, TSGAC voiced its concerns regarding the IHS decision to distribute behavioral health funds through a grant mechanism. TSGAC has asked the IHS to reconsider this decision and allow Tribes the option to receive these funds through ISDEAA agreements. IHS recently awarded 5-year behavioral health grants and Director Tso asked if we could wait until the end of the current granting period and reconsider a new decision for the next granting period. At our last meeting, TSGAC talked about having a workgroup that identifies how the current process is working and how it can be adjusted into a formula-based model. The goal is to come up with plan and then transition to that plan. A suggestion to start the discussion with NTAC was raised.

For Discussion: **Discussion topics will be identified in Tribal Caucus.**

1. ***Health IT Modernization***

Background: At the last meeting, the IHS said they have completed Phase 1 of the Health IT Modernization project and is moving into Phase 2 which includes demonstration sites within the I/T/U system. TSGAC requested IHS to form a special advisory committee to ensure Tribal involvement and compatibility with Tribal systems. Since then, the IHS developed an advisory group.

For Discussion: What is the update/status of the advisory group?

**Additional discussion topics will be identified in Tribal caucus.**

1. ***Sanitation Facilities Construction (SFC)***

*How to Offset Tribal Administrative Costs*

Background: At our last meeting, TSGAC asked the IHS to find a way to either allocate funding from the $105 million set-aside ($21 million/per year), identified in the Infrastructure Investment Jobs Act, other than what the law specified for “federal staff”, to help offset tribal administrative costs associated with SFC projects or to find a way to reallocate other funds to help offset tribal administrative costs associated with SFC projects.

IHS said they needed to go back to the drawing board on how to get this done. They wanted to identify where they can partner and where they can leverage resources.

For Discussion:

* Has IHS identified opportunities?
* Can we get an update on project status?

*SFC- distribution of all reprogrammed funds*

Background: In FY 2022 the IHS reprogrammed $21 million in SFC appropriation to fund tribal costs for Tribes that have taken over this function. FY 2023 the IHS planned to reprogram SFC appropriations to help fund tribal costs.

For Discussion:

* Can we get an update on when the FY 2022 resources were sent out to the areas.
* When can tribes expect to receive the FY 2023 resources?

1. ***Budget Update***

*Topics to discuss during the Budget Update:*

* 2024 President Budget Proposal updates?
* Advanced Appropriation authority
  + Status of implementation?
* Mandatory Funding Workgroup Update- At the last meeting the IHS said they were ready to proceed with the workgroup that will identify key questions and topics where additional analysis is necessary to bolster current and future mandatory funding proposals.
  + Updates?
* 2025 Budget Formulation Budget meetings update- the FY 2025 Budget Formulation meeting was held in mid-February.
  + Can you provide an overview of the results?
* TSGAC has been raising the concern that OMB issued guidance to advise the Interior Business Center to only exempt CARES Act Coronavirus Relief Funds from the Tribe’s Indirect Costs. We believe that it should be the Tribe’s choice to include or not include any one-time funding in their Indirect Cost Rates. The IHS said they will have a conversation with Liz Carr on this issue.
  + Updates?
* Update on IHS interim guidance related to COVID funds- IHS said it will be providing interim guidance while they continue to develop a CRRSAA template and reporting system.
  + What information is going to be collected?
  + Is there an update on the guidance and when the template and reporting system will be operational?
* Section 105 (l) transition update- at the last meeting we discussed the organizational change of moving the CSC and Section 105 lease agreements functions into Office of Finance & Accounting (OFA). TSGAC had some initial concerns regarding this decision, especially with the delay OFA had getting out the FY 2021 mandatory funds.
  + Is there an update on transition of moving CSC and Section 105 to OFA?
  + How will the IHS ensure that there are no delays in processing CSC and Section 105 payments during the transition?
  + How will this transition improve the current process?

1. ***Discussion with IHS Director***

*Topics to discuss during IHS Director discussion:*

* Priority of Self-Governance Demonstration Project for select HHS programs.
* Long-Term Care- How can Tribes partner with the IHS, SAMHSA, Administration for Community Living to address the growing mental and behavioral health challenges brought on by the pandemic? How can we keep our elders in their homes or at least in the community when they need round the clock care and their insurance runs out?
* CHAP Update
* **Other topics will be identified in Tribal Caucus**