

**OHCA TRIBAL CONSULTATION**  
**MEMORANDUM OF AGREEMENT**

**Oklahoma Health Care Authority and Oklahoma City Area Inter Tribal Health Board**

This Memorandum of Agreement (MOA) is made this 4 day of Dec, 2007, by and between Oklahoma Health Care Authority (OHCA) and the Oklahoma City Area Inter Tribal Health Board (OCAITHB).

**BACKGROUND**

The presence of Tribal Governments predates both the formation of the United States and the State of Oklahoma. As sovereign nations, Tribal Governments exercise inherent sovereign powers over their members, territory and lands. Tribal Governments have an inalienable and inherent right to self-governance, meaning governance in which decisions are made by the people who are most directly affected by the decisions.

The United States (U.S.) recognizes Tribal governments as sovereign nations and enjoys a unique government-to-government relationship with Tribal governments. This relationship is grounded in numerous treaties, statutes, court decisions, and executive orders. Because of this government-to-government relationship, Tribal members have a unique legal and political status which is based on Tribal membership rather than a racial category.

The State of Oklahoma has long recognized a government-to-government relationship with the Tribal governments located in the state. Additionally, the State of Oklahoma recognizes the unique status of Tribal governments and is charged with the duty to work in a spirit of cooperation with all federally recognized Tribal governments in furtherance of federal policy for the benefit of both the State of Oklahoma and Tribal Governments<sup>1</sup>.

The Oklahoma Health Care Authority (OHCA) is the single state agency with the responsibility of directing the administration of the Medicaid and SCHIP program in Oklahoma. The mission of the agency is to purchase state and federally funded health care in the most efficient and comprehensive manner possible and to study and recommend strategies for optimizing the accessibility and quality of health care.

In recognition of the government-to-government relationship, the OHCA strives to maintain active communication and coordination with Tribal governments in health related matters. The OHCA is committed to active communication with Tribal governments during the OHCA decision making and priority setting process. An activity of the OHCA communication process with Tribal governments is the implementation of Tribal consultation activities.

The Oklahoma City Area Inter Tribal Health Board is a non-profit organization located in Oklahoma City and comprised of Board members representing Tribal governments within the Oklahoma City Area Indian Health Service (IHS) service units. The OCAITHB provides valued

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<sup>1</sup> 74 O.S. 2001, § 1221 (B)

services to Tribal Governments within the borders of Oklahoma in the areas of information dissemination, meeting coordination, policy development, and inter-governmental collaboration. The OCAITHB convenes and coordinates numerous Tribal conferences, meetings, and events on an annual basis.

In order to carry out Tribal consultation activities, the OHCA seeks to enter this agreement with the OCAITHB for the purpose of information dissemination, meeting coordination, and other related activities.

#### **ACTIVITIES**

1. **Tribal Consultation Session Planning Workgroup** – In order to carry out the activities associated with OHCA Tribal Consultation, the OHCA and OCAITHB will establish a Tribal Consultation Session Planning Workgroup. The activities of the workgroup may include, but are not limited to:
  - a. Tribal Consultation Session Agenda Development
  - b. Determining Date, Time, Location, and Site for Tribal Consultation Session
  - c. Identifying costs for carrying out the Tribal Consultation Session
  - d. Identifying Tribal Consultation Session invitees
  - e. Determining information to be prepared and disseminated during Tribal Consultation Session
  
2. **Tribal Consultation Session Coordination** – Based on the recommendations of the Tribal Consultation Session Planning Workgroup, the OCAITHB will provide primary support to the OHCA in the coordination of the Tribal Consultation Session. Coordination activities may include but are not limited to:
  - a. Developing and disseminating Invitation Letters to Speakers and Participants
  - b. Confirmation of Invited Speakers and Participants
  - c. Development, Formatting, and Printing of Materials to be distributed during the Session
  - d. Providing Staff Support during the Session
  - e. Information Dissemination regarding the Tribal Consultation Session through regular mail, electronic mail, internet postings
  - f. Providing Necessary Audio/Visual equipment during Session
  - g. Developing Evaluation Materials
  
3. **Information Dissemination** – In addition to the activities associated with the Tribal Consultation Session, an integral part of the Tribal Consultation process on an ongoing basis is the dissemination of information to Tribal governments, Tribal organizations, health providers, etc. on a regular basis. The OCAITHB will provide information dissemination activities for the OHCA utilizing regular mail, electronic mail, and OCAITHB quarterly meetings.

**DURATION**

This MOA shall be in effect upon the signature of both parties. Any modifications to this MOA must be by mutual written consent and signed by both parties. Either party may terminate this MOA without incurring any liability by giving written notice at least 30 days in advance.

**FUNDING**

The MOA does not create any financial obligations for the parties. Prior to the expenditure of any funds associated with the activities of this MOA, the parties will mutually determine the source of funds utilized.

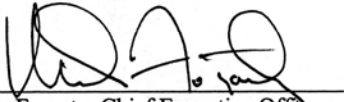
**REPRESENTATIVES OF THE PARTIES**

OHCA and OCAITHB will each designate a representative to deliver and receive notices and other communications, and to manage the MOA. As of the effective date of this MOA, the parties' representatives are:

**Oklahoma Health Care Authority**  
Mike Fogarty, Chief Executive Officer  
4545 North Lincoln Boulevard  
Suite 124  
Oklahoma City, Oklahoma 73105  
(405) 522-7300

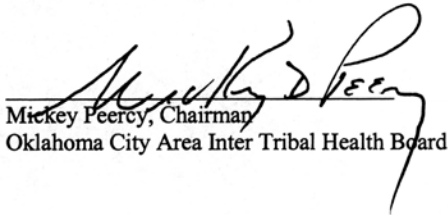
**Oklahoma City Area Inter Tribal Health Board**  
Mickey Peercy, Chairman  
3625 Northwest 56<sup>th</sup> Street  
Suite 106  
Oklahoma City, Oklahoma 73157  
(405) 951-3965

**Authorized signatures**



Mike Fogarty, Chief Executive Officer  
Oklahoma Health Care Authority

12-6-07  
Date



Mickey Peercy, Chairman  
Oklahoma City Area Inter Tribal Health Board

11/21/07  
Date