

IHS Office of Urban Indian Health Programs (OUIHP)

Urban Confer – IHS Policy on Confering with Urban Indian Organizations

IHS & URBAN INDIAN ORGANIZATION
OVERVIEW



Why the IHS Confers – Purpose

Urban Indian Organizations (UIOs) are a major provider of health care to urban American Indians/Alaska Natives (AI/ANs) across the country. Congress has specifically declared in the Indian Health Care Improvement Act (IHCIA) that it is the policy of the Nation “to ensure the highest possible health status for Indians and urban Indians.” 25 U.S.C. § 1602(1).

To that effect, when Congress reauthorized the IHCIA, it included a requirement that the Indian Health Service (IHS) “confer,” to the maximum extent practicable, with UIOs in carrying out the IHCIA. 25 U.S.C. § 1660d(b).



Why the IHS Confers – Purpose

To engage in regular and meaningful confer, which is defined in the IH CIA at 25 U.S.C. § 1660d(a)(1)-(2) as “open and free exchange of information and opinions that leads to mutual understanding and comprehension; and emphasizes trust, respect, and shared responsibility.”



Why the IHS Confers – Background

The IHClA includes the authority for the IHS to “establish programs in urban centers to make health services more accessible to urban Indians.” 25 U.S.C. § 1651. The IHS carries out this authority through contracts and grants with UIOs.



IHS Urban Confer Policy

On March 22, 2023, the IHS published an updated policy on conferring with UIOs consistent with the IHClA authority. The IHS urban confer policy provides guidance for seeking input from UIOs on urban Indian health matters to ensure the health care needs of urban Indians are considered at the local, Area, and national levels, when implementing and carrying out the IHClA. Indian Health Manual (IHM) 5-26.1(A).



IHS Urban Confer Policy

The IHS urban confer policy published in Part 5, Chapter 26 of the Indian Health Manual provides basic instructions and requirements on roles and responsibilities for confer management.

The IHS urban confer policy is available on the IHS Website at https://www.ihs.gov/ihm/index.cfm?module=dsp_ihm_pc_p5c26



IHS Urban Confer Policy

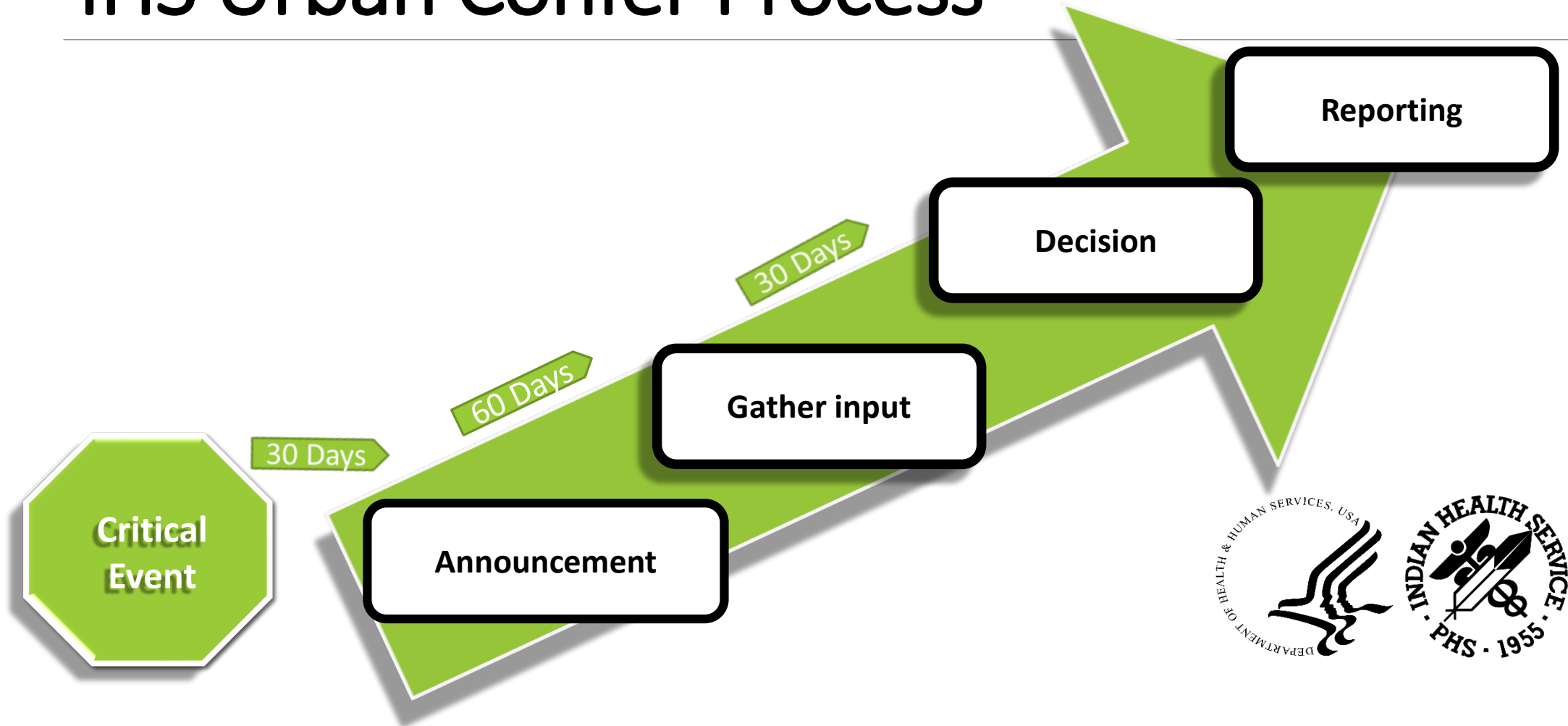
Confer: As defined in the IHClA, the term “confer” means to engage in an open and free exchange of information and opinions that:

1. leads to mutual understanding and comprehension; and
2. emphasizes trust, respect, and shared responsibility.

25 U.S.C. § 1660d(a).



IHS Urban Confer Process



IHS Urban Confer Process – Critical Event

Critical Event: What triggers the need for urban confer?

A “Critical Event or Issue,” is an event or issue that significantly affects one or more UIOs. Critical events or issues are complex, have significant implications, and are time-sensitive.

Examples include program regulations development, IHS budget formulation, new resources allocations, policy changes, or new policy development, as well as public health or environmental events. IHM § 5-26.1F(3).



IHS Urban Confer Process – Critical Event

Critical Event: Who can identify a critical event?

A potential critical event or issue arising in implementing or carrying out the IHClA may be identified by either UIO(s) and/or the IHS.

An UIO(s) may identify a critical event or issue at the national, Area, or local level. If an UIO(s) identifies a critical event or issue in implementing or carrying out the IHClA, an UIO(s) must submit written correspondence to the Director, IHS, Area Director, or IHS Service Unit CEO, describing the critical event or issue, the affected UIO(s), and the proposed conferring activity. IHM § 5-26.4A(1).



IHS Urban Confer Process – Critical Event

Critical Event: Who can identify a critical event?

A potential critical event or issue arising in implementing or carrying out the IHClA may be identified by either UIO(s) and/or the IHS.

The IHS will identify critical events or issues in implementing the IHClA. IHM § 5-26.4A(2).



IHS Urban Confer Process – Announcement

Announcement: How does the IHS communicate an urban confer is taking place?

The IHS will conduct official conferring activities that shall be publicized, through correspondence... IHM § 5.26.4B(1).

Dear UIO Leader Letters (DUIOLLs) are the usual form of communication that identify the critical event or issues to be discussed, the mechanism for conferring, and timeline for input. IHM § 5-26.3.



IHS Urban Confer Process – Announcement

Announcement: How does the IHS conduct an urban confer?

“Conferring Activities” means implementing confer mechanisms, such face-to-face meetings, teleconferences, virtual platforms and hybrid connectivity options, and mailings, to solicit comments and discuss critical events or issues. IHM § 5-26.1F(2) and IHM § 5-26.4C.



IHS Urban Confer Process – Gather Input

Gather input: How does IHS gather input during the urban confer process?

The IHS, Area Office, or IHS Service Unit shall develop instructions for submitting comments on the critical event or issue. A comment period of 60 calendar days from which the DUIOLL is sent will allow UIOs to provide comments and recommendations on the critical event or issue. IHM § 5-26.4D.



IHS Urban Confer Process – Decision

Decision: How does IHS make decisions after an urban confer?

The IHS, Area Office, or IHS Service Unit will provide official notice of the confer decision within 30 days after the conclusion of conferring activities. In making this determination, the IHS reviews comments and recommendations related to the critical events or issues, and consults with IHS subject matter experts for additional feedback and recommendations. IHM § 5-26.4E.



IHS Urban Confer Process – Reporting

Reporting: How does IHS document what happened as a result of an urban confer?

The IHS shall prepare and submit the Annual IHS Confer with UIOs Report to the Secretary, HHS, describing critical events or issues arising in implementing or carrying out the IHClA, related conferring activities, and the results and outcomes of conferring with UIOs... The IHS shall also prepare a similar report to UIOs with confer satisfaction survey results excluding contract and grant-specific information. IHM § 5-26.4I.



IHS Urban Confer Process – Reporting

Reporting: How does IHS evaluate the level of satisfaction after an urban confer?

The IHS will administer a confer satisfaction survey after each conferring activity... The information will be used to improve the conferring process. Office Directors, Area Directors, and IHS Service Unit CEOs will assist the OUIHP in administering a confer satisfaction survey at the national, Area, and local levels, when necessary, to improve the conferring process at all levels of the IHS.
IHM § 5-26.4H.



Discussion and Questions

