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STATE PLAN UNDER TITLE XIX OF THE SOCIAL SECURITY ACT
MEDICAL ASSISTANCE PROGRAM

State/Territory: CALIFORNIA

Citation

42 CFR
430.10

As a condition for receipt of Federal funds under
title XIX of the Social Security Act, the

Department of Health Services
(Single State Agency)

submits the following State plan for the medical
assistance program, and hereby agrees to administer
the program in accordance with the provisions of this
State plan, the requirements of titles XI and XIX of
the Act, and all applicable Federal regulations and
other official issuances of the Department.

TN No. 92-09

Supersedes

Approval Date

NOV 18 1993

Effective Date

JAN 01 1993

TN No. _____

HCFA ID: 7982E

Tribal Consultation Requirements

Section 1902(a)(73) of the Social Security Act (the Act) requires a State in which one or more Indian Health Programs or Urban Indian Organizations furnish health care services to establish a process for the State Medicaid agency to seek advice on a regular, ongoing basis from designees of Indian health programs, whether operated by the Indian Health Service (IHS), Tribes or Tribal organizations under the Indian Self-Determination and Education Assistance Act (ISDEAA), or Urban Indian Organizations under the Indian Health Care Improvement Act (IHCA). Section 2107(e)(I) of the Act was also amended to apply these requirements to the Children's Health Insurance Program (CHIP). Consultation is required concerning Medicaid and CHIP matters having a direct impact on Indian health programs and Urban Indian organizations.

DHCS is committed to providing information and seeking advice on a regular, ongoing basis from Tribes and designees of Indian health programs and Urban Indian Organizations concerning Medi-Cal matters having a direct effect on Indians, Indian health programs and Urban Indian Organizations. DHCS recognizes that the United States government has a unique legal relationship with American Indian Tribal Governments as set forth in the Constitution of the United States, treaties, statutes, and court decisions. DHCS also recognizes the State of California adopted Public Law 83-280 in 1954 at which time the State accepted responsibility for some Indian Affairs.

California Indian Health Care Delivery System

Indian health programs in California are operated by Tribes and urban Indian organizations. The Indian health care delivery system consists of a network of primary care clinics that are funded by the Federal Indian Health Services (IHS) to provide care to American Indians and other underserved populations as identified in the clinic charter /mission. These clinics participate in Medi-Cal as Tribal Health Providers funded under the authority of Public Law (PL) 93-638, 25 USC 450 et seq. or as Federally Qualified Health Centers. There are 7 urban Indian health programs operated by non-profit Boards of Directors (BOD) elected by the urban Indian community. There are also 31 tribally operated health programs. These programs are governed either by the Tribal council, BOD appointed by the Tribal Council, or