

**INDIAN HEALTH SERVICE/CALIFORNIA AREA OFFICE  
TRIBAL ADVISORY COMMITTEE MEETING  
MARCH 6, 2012**

**EXECUTIVE SUMMARY**

**CATAC Members  
in attendance:**

**Region  
Represented**

Ms. Angela Martin (a)	Northern
Mr. Peter Masten Jr. (p)	Northern
Mr. John Green (p)	Northern
Mr. Robert Marquez (p)	East Central
Mr. David Moose (a)	East Central
Mr. Silver Galleto (a)	West Central
Mr. Mark Romero (a)	Southern
Mr. Johnny Hernandez (p)	Southern
Mr. Robert Smith (a)	Southern

**IHS Staff In attendance:**

Ms. Margo Kerrigan	Director, California Area IHS
Dr. David Sprenger	Acting Chief Medical Officer
Mr. Travis Coleman	Acting Indian Self-Determination Program Mgr.
Mr. Michael Shachat	Assistant Regional Counsel, OGC, Region IX

The California Area Tribal Advisory Committee (CATAC) meeting began on March 6, 2012 in the boardroom at the Pala Casino Resort and Spa, 11154 Highway 76, Pala, CA 92059. In addition to the attendees listed above, the meeting was open to and attended by Tribal Leaders and additional Indian Health Service (IHS) staff.

Ms. Kerrigan, California Area Director, IHS welcomed everyone and facilitated group introductions and reviewed the planned agenda.

**Executive Summary Review:**

The CATAC members reviewed the Executive Summary of the June 21, 2011 meeting and approved them.

## **Youth Regional Treatment Center (YRTC):**

Ms. Kerrigan provided an update on the North and South Youth Regional Treatment Centers (YRTC).

The IHS purchased the site for the southern California YRTC. IHS will call the southern site "The Ranch," until the YRTC is officially named. The Dedication of the Land will occur on Friday, March 9.

The proposed site for the northern California YRTC is in Yolo County, on 12 acres currently owned by D-Q University (DQ-U). In 2011, the DQ-U Trustees requested that the U.S. General Services Administration (GSA) revert the site to the Federal government for IHS to establish the northern YRTC. GSA is processing the transfer, which should be complete in July 2012. Mr. Johnny Hernandez said that at the last meeting (June 21, 2011), the CATAC voted and ranked DQ-U as first choice, followed by three alternate sites. An amendment to that motion is therefore not necessary at this time.

Ms. Kerrigan provided an overview of the 1992 Congressional mandate for the two California YRTCs. Currently, there are 11 YRTCs nationwide, but none in California. Each California YRTC will serve 32 youth, and each will have five suites for families to participate in the treatment program.

Mr. Gary Ball stated that IHS will acquire the 12-acre DQ-U site via inter-governmental transfer. GSA is appraising the property and will complete a Phase-1 Environmental Review. IHS will review traffic safety and potential seasonal rainwater drainage impact on the planned facility. The Yolo County community is particularly concerned about the latter. During the design phase, IHS will develop traffic and drainage mitigation plans, based on its reviews.

By September 2012, IHS will select a contractor to design the southern YRTC. Because the YRTCs will be similar, IHS might use the same contractor to design the both facilities. Question: will the design be brought to the Southern Tribes for comment? Answer: Yes. Ms. Joyce Sundberg of Trinidad commented that the North and South are different, and suggested Tribal input on design. The artwork and external/internal designs should be unique. A portion of the artwork budget might be earmarked for local artwork. IHS will not allow the facilities to look "institutional." In addition, IHS has developed a strategy to improve the access road to the southern site.

There have been two Congressional appropriations for the California YRTCs. In 2011, the House Appropriations Committee provided advance approval for IHS to spend up to \$2.7 million to purchase land for both YRTCs. In 2012, Congress appropriated \$2 million for the design and site grading of the southern YRTC. IHS requires approximately \$35 million more to construct the facilities. The 2013 IHS budget request did not include additional funding for the California YRTCs. IHS had not completed the land purchases by the time IHS submitted its budget request.

CATAC members commented that the Tribes need to lobby Congress to ensure that IHS obtains adequate funds to construct the YRTCs. IHS can only hire a contractor to design the southern YRTC, but has no Congressional authorization to hire a contractor for the northern YRTC. If IHS can use same contractor for both facilities, IHS will save time and money. IHS is ready to design the southern YRTC, and the northern YRTC is a few months behind.

Reminder: on Thursday, March 8, there will be a screening of the film “Behind the Door of the Secret Girl.” This is a documentary by and about a young Miwok woman, her mother, and her struggle with methamphetamine.

Reminder: on Friday, March 9 the Dedication of the Land will occur at The Ranch. The vans start loading at 8:00 and will leave for The Ranch at 8:30am. The ceremony starts at 10:00am. Chairman Luther Salgado, Sr., of the Cahuilla Band, Ms. Annie Hamilton, and the Bird Singers will conduct the blessing. The southern YRTC will be the first IHS-operated facility in California.

### **California Representatives to the National IHS Workgroup Reports:**

Ms. Rachel Joseph sent a text message thanking the CATAC members for their work during all the years, while she was a CATAC member.

### **IHS Budget Formulation Workgroup (BFWG):**

Chairman Stacy Dixon of Susanville and Tribal Treasurer Leslie Lohse of Paskenta are in Washington DC attending the HHS budget formulation meeting.

### **National Behavioral Health Workgroup (BHWG):**

Chairman Robert Marquez of Cold Springs, did not know who facilitates the meetings. Rachel Joseph handed over the Behavioral Health binders to Chairman Marquez, it is a lot of work reviewing the documents. Chairman Marquez has not attended any meetings and there were no conference calls.

### **Director’s Workgroup on Improving Contract Health Services (CHS):**

Mr. Hernandez had a conference call with the Government Accountability Office (GAO) and was asked about fraud and IHS mismanaging money. The workgroup last meet in Albuquerque, some of the members suggested that they should have strategy uniform responses. Mr. Hernandez said that the GAO was trying to say that the tribal programs were not spending the funding correctly. Mr. Hernandez stated the GAO is doing that so they will not have to give us additional funding. The true unmet needs formula will put us in a good spectrum. Two investigations haven’t come up yet. Mr. Hernandez stated that he does not know what their next gimmicks will be. The GAO wants to use what we say against us. The GAO goes through records and asks for justification, it will be

curious to see what their reports will look like since they are hitting all the regions. Mr. Molin Malicay is California area's primary technical member of the workgroup. He is in the field and has lot of information and knowledge. Mr. Hernandez said that the next person that is placed on the workgroup needs to fight for money to come in to California. Mr. Hernandez not a Tribal Chairman anymore, but attended the workgroup meeting because the Director of the IHS asked him. Ms. Kerrigan thanked Mr. Hernandez, Mr. Malicay, Mr. Chris Devers and Mr. James Crouch for their service. The California tribal programs have exceeded all previous estimations on unmet needs by tracking their denied and deferred services. A CATAC member stated the tribal programs need to be funded by entitlement, with a set benefits package, like the Veteran's Administration (VA).

#### IHS Director's Advisory Workgroup on Tribal Consultation (DAWTC):

Chairman Robert Smith of Pala did not attend any meeting. Chairman Smith was filling in on the workgroup because the Federal Advisory Committee Act (FACA) required that a tribal leader fill that position, this was due to the vacancies on the workgroup from the California Area.

The two new representatives that were nominated are: Councilperson Hailey Hutt from Hoopa and Chairman Charlie Wright from Cortina.

#### HHS Secretary's Tribal Advisory Committee (STAC):

There is a vacancy for the primary member from the California Area, Arch Super from Karuk lost his election and will no longer serve on the STAC. The alternate is Chairman Dixon. One of the at-large STAC representative positions also is vacant after Mr. Reno Franklin from Kashia relinquished the position.

Ms. Kerrigan will follow up to see when the nomination process will begin for the California Area. Have to send letter to the Secretary-Margo will follow up to see what is going on.

#### **Tribal Leaders Consultation Conference Agenda:**

A CATAC member asked a question regarding "tribal government officials". They had heard during the Alaska Tribal Consultation that Dr. Yvette Roubideaux, Director of the IHS listened to ALL speakers and it did not matter if it was a Tribal Leader, Chief Executive Officer or Program Director, etc.

### **Budget Formulation Priority Ballot:**

CATAC members reviewed the Priority Ballot for the top priorities for FY 2015. More discussion will be required before the release to the tribes.

### **Federal Advisory Committee Act (FACA):**

Mr. Hernandez asked “Do we want us to continue having an Advisory Committee?” Ms. Kerrigan responded, “We will go with the request of the Tribes”. A question was asked, Do we still need 16 representatives? Another, question, Is it helpful to you Margo? Ms. Kerrigan said that the CATAC has been very helpful and it is essential. A CATAC member said that the regional caucus elections should stay intact and it should be either an elected official or a letter appointing them to do so.

CATAC members reviewed letters from National Indian Health Board (NIHB) and California Rural Indian Health Board (CRIHB) concerning the FACA and Tribal Consultation, the tribes have the right to select their own representative. Don’t know if there is going to be a determination. OCG Counsel from Region IX, Michael Shackett read who and what is responsible for the legal requirements regarding the FACA and advisory committees. The statute has specific language-saying that they need to be duly elected tribal or employees (CATAC member’s consensus that the term Tribal Members is vague). FACA is strict, there is publication, open, recorded, etc. Safest bet if the elected tribal leaders just designate employees if they cannot represent in person, a consortium might be problematic.

Discussion of the CATAC members: Rachel stepped down from the CATAC and several board, committees, and workgroups because her Tribal Chairman said that she wasn’t a representative of that Tribe. Johnny is in the same situation but since he works for Pala, the Pala tribe can appoint him to represent them on a specific matter. FACA is under tribal consultation right now, Tribes can comment on this and say that they think tribal representatives are dictated by the Tribe itself-not whether they are on Tribal Council. Molin is the technical representative and he goes with Johnny and makes sure that he’s current with CHS issues.

### **Emerging Issues:**

Any emerging issues?

- A. YRTC budgets should be sent out to the Tribes upfront and as early as possible.
- B. Look at Catastrophic Health Emergency Funds funding-see where things were funded, turn-around time.

### **Meeting Adjourned**

Additional Tribal and program leaders, Indian Health Service staff, and guests in attendance during the March 6, 2012 CATAC meeting:

**Name**

**Representing**

Bonnie Hale

North Fork Rancheria

Joseph Waddell

Karuk Tribe

Luther Salgado Sr.

Cahuilla Band of Indians

Joy Sundberg

Trinidad Rancheria

Dennis Hendricks

Tuolumne Band of Me-Wuk Indians

**IHS/CAO staff**

Gary Ball

Staff Architect

Steven Zerebecki

YRTC Planner

Harry Weiss

Contracting Officer

**INDIAN HEALTH SERVICE/CALIFORNIA AREA OFFICE  
TRIBAL ADVISORY COMMITTEE MEETING**

**Pala Casino Resort and Spa  
11154 Highway 76  
Pala, CA 92059  
March 6, 2012**

**Location: Board Room**

**1:00 PM      Welcome and Introductions      Ms. M. Kerrigan**

**Review Executive Summary-June 21, 2011,**

**Youth Regional Treatment Center  
North and South updates**

**California Representatives to National IHS and HHS  
Workgroup List and Reports**

<b>Behavioral Health</b>	<b>NTCBH</b>
<b>Budget Formulation</b>	<b>BFWG</b>
<b>Contract Health Services</b>	<b>CHS</b>
<b>Diabetes Committee</b>	<b>TLDC</b>
<b>Tribal Consultation</b>	<b>TCW</b>

**HHS Secretary's Tribal Advisory Committee**

**Tribal Leaders' Conference Agenda  
Moderator Instructions**

**Budget Formulation Priority Ballot  
CA Health Priority History**

**Federal Advisory Committee Act (FACA)  
(Documents in packet)**

**Emerging Issues**

**Adjourn**