Understanding the Importance of Tribal Relationships

2019 OPAT Conference
Presenters:

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No disclosures
Learning Objectives:

- Gain an understanding of tribal/state/county/local relationships and why it is important to work together to address health disparities and improve health outcomes
- Participants will learn about historical and intergenerational trauma and its impact on Native Americans
- Learn how to Increase staff effectiveness and accountability when working with tribal communities
Federal Relationship

Federally Recognized Tribes are individual Sovereign Nations. The United States Government has a unique legal relationship with American Indian tribal governments as set forth in the Constitution of the United States, numerous treaties, statutes, Federal court decisions and Executive Orders.

This relationship is derived from the political and legal relationship that Indian Tribes have with the federal government and is not based upon race.
Federally recognized tribes are those Native American tribes recognized by the United States Bureau of Indian Affairs for certain federal government purposes. There are currently 573 Federally Recognized Tribes.

Tribal governments are separate sovereign nations with powers to protect the health, safety and welfare of their members and to govern their lands.

This tribal sovereignty predates the existence of the U.S. government and the state of Oregon. The members residing in Oregon are citizens of their tribes, of Oregon and, since 1924, of the United States of America.

All tribal governments have reservation or trust lands created by treaties or federal acts. They determine their own citizenship (enrollment).
Tribal Sovereignty

Tribal sovereignty in the United States is the inherent authority of indigenous tribes to govern themselves within the borders of the United States of America. The U.S. federal government recognizes tribal nations as "domestic dependent nations" and has established a number of laws attempting to clarify the relationship between the federal, state, and tribal governments.
The Federal Indian Trust Responsibility is a legal obligation under which the United States “has charged itself with moral obligations of the highest responsibility and trust” toward Indian tribes. It is also a legally enforceable fiduciary obligation on the part of the United States to protect tribal treaty rights, lands, assets, and resources, as well as a duty to carry out the mandates of federal law with respect to Federally Recognized Tribes.
LEGISLATION: A Moral Obligation

- United States Constitution gives Congress authority to engage in relations with Tribes & declares Treaties as “Supreme Law of the Land”
  - The Snyder Act of 1921
  - The Transfer Act of 1954
  - Indian Health Facilities Act & Indian Sanitation Facilities Act of 1959
  - The Indian Self-Determination and Education Assistance Act (enacted 1975)
  - Indian Health Care Improvement Act of 1976, made Permanent in 2010
  - The Indian Alcohol and Substance Abuse Prevention and Treatment Act of 1986
  - The Indian Child Protection and Family Violence Prevention Act of 1990
  - The Special Diabetes Program for Indians Act
  - AN/AI Direct Reimbursement Act
  - Tribal Law and Order Act
  - Violence Against Women Act
The state of Oregon also honors tribal sovereignty and recognizes the right of Indian tribes to self-determination and self-governance.
Oregon’s Nine Federally Recognized Tribes
Oregon Tribal Governments

- Burns Paiute Tribe
- Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians
- Confederated Tribes of Grand Ronde
- Confederated Tribes of Siletz Indians
- Confederated Tribes of the Umatilla Indian Reservation
- Confederated Tribes of Warm Springs
- Coquille Indian Tribe
- Cow Creek Band of Umpqua Tribe of Indians
- Klamath Tribes
Supreme Law of the Land

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

US Constitution, Article VI

Treaty of 1855 - Cayuse, Umatilla, and Walla Walla Tribes
Treaty with the Tribes of Middle Oregon, 1855
Government to Government

Oregon maintains a government-to-government relationship with the tribal governments:

1975 - Legislative Commission on Indian Services (LCIS)
1996 - Executive Order EO-96-30
2001 - SB 770
2009 - American Recovery and Reinvestment Act Section 5006
2010 - OHA Tribal Consultation Policy
2011 - Oregon Medicaid State Plan
2018 - OHA Tribal Consultation and Urban Indian Health Program Confer Policy
Activity
Historical and Intergenerational Trauma

Historical trauma refers to cumulative emotional and psychological wounding, extending over an individual lifespan and across generations, caused by traumatic experiences.

- Loss of Land
- Loss of Culture
- Loss of Language
- Boarding Schools
- Relocation Act

How do these things continue to affect Native people?
Termination & Relocation

The Klamath Termination Act (PL 587) enacted in 1954 and terminated Federal supervision over land and members.

The Western Oregon Indian Termination Act (PL 588) was passed in August 1954 as part of the United States Indian termination policy and affected ~60 Oregon Tribes (Siletz, Grand Ronde, Coquille, Coos, Lower Umpqua, Siuslaw, and other Oregon tribes) effective immediately.

The Indian Relocation Act of 1956 encouraged Native Americans to leave Indian reservations, acquire vocational skills, and assimilate into the general population.
Restoration 1977-1989

WE ARE STILL HERE! WE ARE STRONG! WE ARE RESILIENT!

1977, the Siletz Tribe was recognized and restored
1982, the Cow Creek Band of the Umpqua Tribe was restored
1983, Grand Ronde Restoration Act (PL 98-165), creating the Confederated Tribes of Grand Ronde
1984, Coos, Lower Umpqua, and Siuslaw had trust status restored
1986, Klamath had their trust status restored
1989, Coquille Restoration Act to restore federal trust relationship
Oregon Indian Population

129,579 AI/AN (alone or in combination, ACS 2015)

15,314 AI/AN in Portland (alone or in combination, ACS 2015)

Portland is 9th largest Native American population in USA

<table>
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<th>AI/AN Enrolled in OHP</th>
<th>Total HNA Enrollment</th>
<th>Total Enrollment</th>
<th>% of Total</th>
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Fee For Service/Managed Care-CCO

- 17,742, 52%
- 16,177, 48%
Indian Health Care Delivery System

Indian Health Programs can be grouped into 3 categories:

- Indian Health Service (IHS) Directly Operated - Warm Springs, Western Oregon Service Unit – Chemawa Indian School
- Tribally Operated (P.L. 93-638 Indian Self-Determination Act) 8 Oregon Tribes
- Urban Indian Health Care Program - NARA

Types of Health Services that may be provided

- Ambulatory Primary Care (outpatient care)
- Inpatient care - Hospitals
- Medical specialties
- Traditional healing practices
- Dental and Vision Care
- Behavioral Health Services
- Specialty Care Services (CHS)
NPAIHB is a non-profit tribal advisory organization serving 43 federally recognized tribes of OR, WA & ID.

NPAIHB houses a tribal epidemiology center (EpiCenter), several health promotion disease prevention projects, and is active in Indian health policy.

What they do:
- Health promotion and disease prevention
- Legislative and policy analysis
- Training and technical assistance
- Surveillance and research
NARA-Native American Rehabilitation Association

Mission Driven, Spirit Led
Providing education, physical and mental health services and substance abuse treatment to American Indians, Alaska Natives, since 1970. NARA is the Urban Indian Health Care Provider that OHA confers with on program/policy changes.
County/City/Local

These relationships are unique and need to be understood to build partnerships at the local level to improve health.

Key components to know include:

- What local tribes are in the area?
- What is the history?
- What is the current environment?
Activity
Service Areas
Contract Health Service Delivery Areas

Each tribe’s area of interest may extend far beyond its tribal governmental center or reservation location. The federal government acknowledges that many tribal members do not live on tribal lands and, therefore, allows for tribes to provide governmental programs in specified service areas.

For example, the Confederated Tribes of Siletz service area includes 11 Oregon counties: Benton, Clackamas, Lane, Lincoln, Linn, Marion, Multnomah, Polk, Tillamook, Washington and Yamhill.
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<th>Coos, Lower Umpqua, Siuslaw</th>
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<th>Cow Creek Band of Umpqua</th>
<th>Cowlitz (WA Tribe)</th>
<th>Grand Ronde</th>
<th>Klamath</th>
<th>Siletz</th>
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Regional and Cultural Differences

- Great diversity across and within tribes
  - Within region similarities based on ecology, climate, language, and sharing of information for years
- Forced co-existence
  - Historic rivalries, family or clan conflicts, and “Tribal politics”
- Ever evolving culture
  - Adaptation to influence of other cultures
- Urban Indian Communities
Customs and Practices

- Specific cultural customs among AI/AN groups may vary significantly, even within a single community
- “The way we do things”
- Cultural customs are often seen explicitly through material culture
- Outward cultural customs are a reflection
- “Walking in two worlds” (bi-cultural)
Communication Styles

- Non-verbal Gestures
  - Nods, lips, silent stance, soft hand shake, greetings

- Humor
  - Conveyance of truths or difficult messages
  - Sign of affection or corrective advice
  - “Laughter is good Medicine” (Modoc War)

- Indirect Communication
  - Criticism of close ties considered disloyal or disrespectful
  - Wrong Doings = Natural Consequence

- Storytelling
Health & Wellness

- Concepts of health and wellness are broad.
  - All in all, striving for harmonious balance
- Statistically high rates of:
  - Diabetes, heart disease, mental health disorders, alcoholism, and suicide
- Strength based care
- Tribal based practices
  - Talking circle, sweat lodge, powwow, canoe journey etc.
Strength’s in Tribal Community

- Extended family and kinship ties
- Long-term natural support systems;
- Shared sense of collective community responsibility;
- Physical resources
- Indigenous generational knowledge/wisdom
- Historical perspective and strong connection to the past
- Survival skills and resiliency in the face of multiple challenges
- Cultural revival, ceremonies, language
- Ability to “walk in two worlds”
- Community pride
Self Awareness

- Examine your own belief system about AI/AN people related to social issues.
- Avoid assumptions, biased views, stereotypes; trust does not come easy
- Respect of personal space
  - Sacred items
- Be open to the natural order of things
- Be accepting of customs and practices
  - Praying, Smudging, Other Ceremonies, Funerals
- Caution when sharing your AI/AN genealogy
Resources

- Legislative Commission on Indian Services-Government to Government annual reports, links of interest, approach to state tribal relations, tribal government websites and more.
  
  https://www.oregonlegislature.gov/cis

- Broken Treaties, An Oregon Experience
  
Create a good day!

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