



## Tribal Collaboration and Communication Policy

Approved: July 10, 2017

Revised and Approved: July 13, 2020

**Purpose:** Olympic Community of Health (OCH) is committed to active engagement with tribal nations and Indian Health Service (IHS) facilities within the three-county region. All tribes are offered a seat on the OCH Board of Directors. Recognizing that all tribes may not want to be active on the Board, this policy will guide our communications. All tribes/IHS facilities will receive the same level, type, and frequency of communications outlined in this policy.

The purpose of this policy is to establish a clear and concise collaboration policy and communication procedure between Olympic Community of Health (OCH) and tribal governments in the development of all OCH policies or actions.

**Governance:** OCH will hold one seat on the Board of Directors for each tribe. Tribes may choose their own representative and may appoint alternate representatives as desired. The Board does not have the authority to confirm or deny tribal appointments.

**Collaboration:** OCH will collaborate and communicate with tribal governments in a manner that respects the tribes' status as sovereign nations and meets the federal trust responsibility and U.S. treaty obligations to American Indians/Alaska Natives (AI/AN).

- OCH will express respect for the tribes as sovereign nations by referring to them as partners, and not as stakeholders. Because each Tribe has a seat on the Board of Directors, OCH and Tribes will collaborate from the beginning of and throughout the planning and development process for all programs and engage in inclusive decision-making with tribes for all OCH actions including actions that may have an impact on AI/AN populations or tribes (as determined in accordance with Section IV) and not just solicit feedback from tribes.
- OCH will respect and support the need for Tribal representatives or IHS facility representatives to inform their tribal councils and receive directives from their tribal councils or agency leadership on whether and how the tribe or IHS facility would like to proceed with respect to any OCH action.
- If a tribe declines an invitation to collaborate, OCH will maintain a standing invitation for the tribe to collaborate with OCH.

### OCH Actions Having Impacts on AI/ANs or Tribes:

**Determining Tribal Impacts:** OCH will rely on the tribal representatives on the Board of Directors to notify the Board or staff whether an action may have an impact on AI/AN or Tribes. If authorized by the tribal representatives on the Board, OCH staff will convene an *ad hoc* Tribal Implications Subcommittee that will include at least one OCH staff member, at least two Tribal OCH Board Members, and one OCH Board member who is not a representative of a tribe. The committee will meet until it determines



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whether any OCH actions being contemplated, including the development of policies, programs, or agreements, will have an impact on AI/AN or Tribes. The OCH lead staff person will ensure that sufficient information about OCH actions is communicated during the meeting, and prior to implementation, to enable the committee to determine whether those actions will have an impact on AI/AN or Tribes. If no Tribe designates an individual to serve on this committee and until such time when a tribe does designate an individual to serve on this committee, the Board of Directors will make determinations of whether any OCH actions being contemplated will have an impact on AI/AN or Tribes and inform the tribe(s).

**Addressing Tribal Impacts:** If the Tribal Implications Subcommittee determines an OCH action has or will have an impact(s) upon a tribe(s) or IHS facility(ies), the Subcommittee will report their findings and any recommendations for addressing those impacts to the Board of Directors. The Board of Directors will determine a plan of action in response to the Subcommittee's findings and recommendations.

#### **Communication:**

1. OCH will dedicate resources to support the function of tribal liaison when resources permit.
2. OCH will work with each of the individual tribes to ensure that all contact information is up-to-date, and the correct representatives are notified and regularly receive information.
3. OCH will provide written information to tribes concurrent with, and in the same format and method as, the delivery of written information to board members for board meetings, to committee members for committee meetings, and to other OCH participants for participant or other meetings. Any tribe that wishes to receive mailed hard copies of meeting materials may do so upon request. The tribal liaison will work with each tribe to develop a specific communication strategy as requested.

**Sovereignty and Disclaimer:** OCH respects the sovereignty of each tribe located in the State of Washington and that the tribes have the right to request consultation with the State of Washington and/or the United States government in the event OCH fails to address the impacts on AI/ANs or Tribes. In executing this policy, no party waives any rights, privileges, or immunities, including treaty rights, sovereign immunities, and jurisdiction. This policy does not diminish any rights or protections afforded AI/AN persons or tribal governments or entities under state or federal law. OCH acknowledges the right of each tribe to consult with state and federal agencies, including, where appropriate, the Health Care Authority, the Governor of the State of Washington, the Region X Administrator of the U.S. Department of Health and Human Services, or the President of the United States.

**Review:** This policy will be reviewed and evaluated annually or at the request of any tribe or a majority of the OCH Board Members.