

115TH CONGRESS
2D SESSION

S. 2545

To amend the Public Health Service Act to authorize a special behavioral health program for Indians.

IN THE SENATE OF THE UNITED STATES

MARCH 14, 2018

Ms. SMITH (for herself, Mr. UDALL, Mr. TESTER, Ms. CORTEZ MASTO, Ms. WARREN, and Ms. HEITKAMP) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Public Health Service Act to authorize a special behavioral health program for Indians.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native Behavioral
5 Health Access Improvement Act of 2018”.

6 **SEC. 2. SPECIAL BEHAVIORAL HEALTH PROGRAM FOR IN-**
7 **DIANS.**

8 Part A of title V of the Public Health Service Act
9 (42 U.S.C. 290aa et seq.) is amended by adding at the
10 end the following:

1 **“SEC. 506B. SPECIAL BEHAVIORAL HEALTH PROGRAM FOR**
2 **INDIANS.**

3 “(a) IN GENERAL.—The Director of the Indian
4 Health Service, in coordination with the Assistant Sec-
5 retary for Mental Health and Substance Use, shall award
6 grants for providing services in accordance with subsection
7 (b) for the prevention and treatment of mental health and
8 substance use disorders.

9 “(b) SERVICES THROUGH INDIAN HEALTH FACILI-
10 TIES.—For purposes of subsection (a), services are pro-
11 vided in accordance with this subsection if the services are
12 provided through any of the following entities:

13 “(1) The Indian Health Service.

14 “(2) An Indian health program operated by an
15 Indian tribe or tribal organization pursuant to a
16 contract, grant, cooperative agreement, or compact
17 with the Indian Health Service pursuant to the In-
18 dian Self-Determination and Education Assistance
19 Act (25 U.S.C. 5301 et seq.).

20 “(3) An urban Indian health program operated
21 by an urban Indian organization pursuant to a grant
22 or contract with the Indian Health Service pursuant
23 to title V of the Indian Health Care Improvement
24 Act (25 U.S.C. 1651 et seq.).

25 “(c) REPORTS.—Each grantee under this section
26 shall submit reports at such time, in such manner, and

1 containing such information as the Director of the Indian
2 Health Service may require.

3 “(d) TECHNICAL ASSISTANCE CENTER.—

4 “(1) ESTABLISHMENT.—The Director of the
5 Indian Health Service, in coordination with the As-
6 sistant Secretary for Mental Health and Substance
7 Use, shall establish a technical assistance center (di-
8 rectly or by contract or cooperative agreement)—

9 “(A) to provide technical assistance to
10 grantees under this section; and

11 “(B) to collect and evaluate information on
12 the program carried out under this section.

13 “(2) CONSULTATION.—The technical assistance
14 center shall consult with grantees under this section
15 for purposes of developing evaluation measures and
16 data submission requirements for purposes of the
17 collection and evaluation of information under para-
18 graph (1)(B).

19 “(3) DATA SUBMISSION.—As a condition on re-
20 ceipt of a grant under this section, an applicant
21 shall agree to submit data consistent with the data
22 submission requirements developed under paragraph
23 (2).

24 “(e) FUNDING.—

1 “(1) IN GENERAL.—For the purpose of making
 2 grants under this section, there is authorized to be
 3 appropriated, and there is appropriated, out of any
 4 money in the Treasury not otherwise appropriated,
 5 \$150,000,000 for each of fiscal years 2018 through
 6 2022.

7 “(2) TECHNICAL ASSISTANCE CENTER.—Of the
 8 amount made available to carry out this section for
 9 each of fiscal years 2018 through 2022, the Director
 10 of the Indian Health Service shall allocate a percent-
 11 age of such amount, to be determined by the Direc-
 12 tor in consultation with Indian tribes, for the tech-
 13 nical assistance center under subsection (d).

14 “(f) DEFINITIONS.—In this section:

15 “(1) INDIAN HEALTH PROGRAM.—The term
 16 ‘Indian health program’ has the meaning given that
 17 term in section 4 of the Indian Health Care Im-
 18 provement Act (25 U.S.C. 1603).

19 “(2) INDIAN TRIBE.—The term ‘Indian tribe’
 20 has the meaning given that term in section 4 of the
 21 Indian Health Care Improvement Act (25 U.S.C.
 22 1603).

23 “(3) TRIBAL ORGANIZATION.—The term ‘tribal
 24 organization’ has the meaning given that term in

1 section 4 of the Indian Self-Determination and Edu-
2 cation Assistance Act (25 U.S.C. 5304).

3 “(4) URBAN INDIAN ORGANIZATION.—The term
4 ‘urban Indian organization’ has the meaning given
5 the term ‘Urban Indian organization’ in section 4 of
6 the Indian Health Care Improvement Act (25 U.S.C.
7 1603).”.

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