

**Yukon-Kuskokwim Health Corporation
For Review for FY 2023 Negotiations**

Section 3 — Tribal Programs and Budget. YKHC agrees to be responsible for the health PSFAs identified below in accordance with the Compact and this Funding Agreement. YKHC is committed to and will strive to provide quality health services and will strive to meet standards it believes to be appropriate and applicable to the delivery of those health services. For the purposes of this Funding Agreement, YKHC's General Budget categories consolidate related health PSFAs as listed below. Services are provided in the Yukon-Kuskokwim Delta Region of Alaska, except as described herein or as necessary to fully provide for the needs of the persons served under this Funding Agreement. Subject to the availability of funds, services described herein may be expanded or reduced at the discretion of YKHC. To the extent any Tribe, which authorized YKHC to enter into the Compact on its behalf, enters into a contract under Title I or a Funding Agreement under Title V of the Act, YKHC will not be obligated to provide any program, activity, function, or service (or portion thereof) incorporated into such contract or Funding Agreement, except that YKHC, subject to the availability of resources, may provide services to such a Tribe. YKHC's wide range of services are provided and facilitated directly, and in cooperation with ANMC, ANTHC, SCF, and other Co-Signers, including through field clinics, referral to ANMC, and other arrangements with Tribal health organizations. Any PSFA described in this section 3 [Tribal Programs and Budget] may be performed by any organizational unit of YKHC at YKHC's discretion.

3.1 Health Services

3.1.1 Community Health Aide and Village-Based Program: Provides Alaska-unique village-based care under the Standards and Procedures approved by IHS CHAPCB and other program standards of YKHC, which includes:

3.1.1.1 health care services, including well person, acute, non-acute, and chronic care; emergency stabilization and care; and preventive services. Such services include, but are not limited to, providing Early Periodic Screening, Diagnosis, and Treatment (EPSDT); immunizations; family planning; pre-natal care; women's health; and pharmacy services;

3.1.1.2 dental health aide services and behavioral health aide/practitioner services, under the *Standards and Procedures* approved by IHS CHAPCB;

3.1.1.3 health promotion to individuals, families, and their communities;

3.1.1.4 basic and advanced training and continuing education, and supervision;

3.1.1.5 telemedicine, telehealth, telepharmacy, and teleradiology services;

3.1.1.6 logistic, supervisory, and administrative services for the community health aide program; and

3.1.1.7 patient case management, including arranging for and providing emergency and routine patient transportation.

3.1.2 Sub-Regional Clinics/Community Health Centers: Provide comprehensive, well person, emergency, acute, and chronic medical and dental care, laboratory, radiology services, and preventive services and behavioral health services at the subregional/community health centers and surrounding village clinics and sites. These services include:

3.1.2.1 EPSDT; immunizations; maternal and child health services, including family planning, prenatal and postnatal care and emergency deliveries, and women's health; pharmacy services; health physical screenings, including medical and dental; and case management of care provided to children and other high-risk individuals;

3.1.2.2 on-call urgent care services 24 hours a day; and

3.1.2.3 specialty clinics; dental services; optometry services; physical therapy; diagnostic imaging services; laboratory services; ~~and telemedicine, telehealth, telepharmacy, and teleradiology services.~~

3.1.2.4 dental health aide services and behavioral health aide/practitioner services, under the *Standards and Procedures* approved by IHS CHAPCB;

3.1.2.5 health promotion to individuals, families, and their communities; ~~and~~

3.1.2.6 patient case management, including arranging for and providing emergency and routine patient transportation-; and

3.1.2.7 telemedicine, telehealth, telepharmacy, and teleradiology services

3.1.3 Community Health and EMS:

3.1.3.1 Community Health and Wellness: Provides information and education through radio talk shows, public service announcements, newspaper articles, a video lending library, information retrieval request service, school and group presentations, and other available means. Programs include nutrition; sexuality education; HIV/AIDS/STD; substance abuse (including inhalant abuse); nicotine ~~control~~/prevention and cessation services and research; diabetes prevention and control; health education and promotion services in the YKHC region, including community activity and wellness programs, sponsorship and direction of team sports, and providing a fitness center. Employees routinely travel to all surrounding villages in the Yukon-Kuskokwim Delta region to make presentations to and conduct classes for community groups and schools, as well as attend tribal gatherings and health fairs.

3.1.3.2 Injury Control and Emergency Medical Services (IC/EMS):

Provides various levels of Injury Control training and EMS training including CPR, Emergency Trauma Technician, and Emergency Medical Technician. EMS also participates in runs with the local Volunteer Fire Department and provides coverage in the Yukon-Kuskokwim Delta Regional Hospital (YKDRH) Emergency Room. Provides physician medical directorship for the Bethel Fire Department, the Aniak Fire Department, and other rescue departments in the Delta. Provides and operates “Code Blue” rescue vehicles and equipment to the communities in the region, including Automatic External Defibrillators. Injury control develops interventions or conducts intervention programs to address the leading causes of injury in the region, including Bicycle Rodeos, Car Seat Safety, ATV/Snow-Machine Rodeo, Summer Swim Program, Kids Don’t Float, Smoke Detector Program, gun safety, and the sale of safety devices. Employees routinely travel to all surrounding villages in the Yukon-Kuskokwim Delta region to make presentations and conduct classes to community groups, emergency response teams, and schools.

3.1.3.3 HIV/Circle of Care Project: Provides testing, referrals, case management, data collection, and training and education.

3.1.4 Behavioral Health Services: Provides behavioral health services for Bethel and Villages in the Yukon-Kuskokwim Delta. These services are provided through Outpatient Services, Residential Services, Emergency Services, ~~Village Services~~, ~~Specialty Services~~Prevention, and Support componentsthe Developmental Disabilities program. A combination of practices is utilized throughout Behavioral Health Services, including a variety of western counseling methods and traditional modalities. The traditional modalities are based upon subsistence activities and are used as channels for mental and emotional healing. A variety of activities may be utilized including boating, camping, fishing, hunting, trapping, gathering foods, community gatherings, and meeting with elders.

3.1.4.1 Emergency Services: Provides inpatient, emergency room, and outpatient emergency substance abuse and mental health assessment, safety planning, and referral for treatment 24 hours per day, 7 days per week. Emergency services implements involuntary mental health and substance abuse commitment processes when deemed necessary. Emergency services offers case management services for clients with complex behavioral health needs, which include substance abuse and mental health services; the Crisis Respite Center ~~and the Kuskokwim Emergency Youth Services (KEYS)~~ provides residential diagnostic and treatment hospital diversion services for adults ~~and children~~ experiencing behavioral health crises in a twenty-four hour per day ~~staffstaffed~~ secure setting; ~~emergency shelter in a twenty-four hour per day staff secure setting for children experiencing unsafe homes or behavioral health crises~~; and intensive case management, individual, family and group therapy and life management skills and psycho-social educational skills training.

3.1.4.2 VillageOutpatient Services: Provides outpatient mental health and substance abuse assessment, screening and treatment services, including medication-assisted treatment; behavioral health wellness training, and community behavioral health assessment and prevention services delivered by paraprofessional, including behavioral health aide/practitioners ~~and wellness~~, counselors and professional staff, who may deliver services in a variety of settings,

including, but not limited to, the Bethel integrated outpatient clinic, homes, schools, village clinics, and public safety offices. Village Outpatient services also include support for subregional mental health and substance abuse programs, including the Iquisuin program to respond to unanticipated deaths and disasters in the villages. Such support includes providing back-up emergency services, psychiatric services, direct patient assessment and care, and clinical supervision and monitoring of the staff of those programs.

3.1.4.3 Specialty and Residential Services: Offers specialized services, which include: psychiatric care; habilitation for clients who experience developmental disabilities; psychological testing; ~~Fetal Alcohol Syndrome Disorder (FASD) diagnostics; FASD family support and life skills development;~~ children's diagnostics; the Phillips family infant toddler program to provide early intervention services to children with disabilities the Ayagnirvik Treatment/Healing Center, which provides adult residential and outpatient substance abuse services, including counseling, therapy and traditional care; case management of individuals who have experienced conflict in the community because of substance abuse or other behavioral health issues; a Sobriety/Sobering Center, which provides services for the protection of individuals impaired by alcohol and substance abuse, screenings, brief interventions and referrals to treatment; inhalant abuse treatment services; opioid treatment services, including Medication-Assisted Treatment; behavioral health residential services (including individual, family and group therapy, life management skills, and psychosocial education skills training); transitional and supportive living services and case management; ~~therapeutic care homes for children;~~coordination services, adult residential and rehabilitative services and case management; critical incident stress management and related training; grief counseling; and anger management ~~and therapeutic court services~~, behavioral health-related services, and coordination with tribal programs designed to facilitate transitions resulting from incarceration and release. Intensive family preservation services are provided, as well as housing for the chronically mentally ill. Services for substance abusing women and their children are offered ~~in a combination of residential and intensive outpatient services.~~ YKHC also provides family-centered early intervention, assessments, and support for children at risk of or experiencing developmental delays.

~~**3.1.4.4 Statewide Inhalant Treatment Services:** Provides a statewide residential inhalant abuse treatment center for children and adolescents and their families, community and program development, education and prevention services, subsistence/cultural activities, and related services. To the extent funding is available, outpatient inhalant treatment services will be offered in communities across the State. Presentations and classes for community groups and schools are conducted in villages and communities throughout the Yukon-Kuskokwim Delta region and the State.~~

~~**3.1.4.5 Child Residential Services:** Provides~~The McCann Treatment Center provides child residential psychiatric treatment and other behavioral health-related services including, but not limited to, subsistence/cultural activities, access to education, therapy services and rehabilitation services.

3.1.4.6 Prevention Services: Provides multi-day gatherings to teach individuals to embrace traditional culture and knowledge as channels for mental and emotional

healing and treatment or avoidance of substance abuse issues; incorporates traditional medicine (see Section 3.1.7.3 below) into Behavioral Health Services; provides school, village and community presentations; and provides behavioral health services to help individuals cope with community disasters and emergencies.

3.1.4.7 Crisis Respite Services: Provides services, supplies, education, security, observation and other support to individuals who may need additional or different services than the YKDRH ordinarily provides, such as care in “respite locations” for transient populations, and behavioral health stabilization or “step down” services to patients awaiting admission, safe discharge or transfer to a facility or level of care more appropriate to an individual’s needs.

3.1.5 Home Care and Other Community-Based Services: Through a combination of western methods and traditional modalities, provides home care and other community-based services, including assistance with activities of daily living such as bathing, dressing, laundry, light housekeeping, cooking, vital signs, and medication reminders. These services are provided to all individuals throughout the Delta who are unable to perform their activities of daily living on their own or when the families are unable to meet their needs. Home and Community-Based Services also provides palliative care and other end-of-life services, respite, chore, nutrition, transportation, and other supportive services including various senior programs and activities, and engages in planning and development of additional services. These services will be provided in accordance with Section 205(a)(2) of IHCA, as amended 25 U.S.C. § 1621d.

3.1.6 Diabetes Prevention and Control Program: Implement and evaluate primary, secondary, and tertiary Diabetes prevention activities and care, including Mini grants for villages interested in organizing their own community health promotion projects such as gardens and community and school-based health activities, One-Touch Management System, Staged Diabetes Management, Healthy Hearts curriculum, Diabetes Support Groups, physical fitness and wellness programs, school-based Healthy Lifestyle Curriculum, community-based Healthy Lifestyle Curriculum, and village-based diabetes care and community presentations delivered on an itinerant basis. The program also provides diabetes clinics, consults, screening, weight loss assistance, home visits and case management for diabetes patients and communities.

3.1.7 Other Health Services: Provides quality patient care achieved through maintaining qualified staff, necessary equipment, physical plant, and medical provisions required in the delivery of health care services.

3.1.7.1 Patient Care: Under a comprehensive Organizational Plan for Delivery of Patient Care, YKHC provides the following direct inpatient and outpatient health care services, including, but not limited to:

- 3.1.7.1.1** emergency and acute patient care;
- 3.1.7.1.2** chronic patient care, including chemotherapy and catheter placement;
- 3.1.7.1.3** twenty-four hour emergency services;
- 3.1.7.1.4** ambulatory care services;

3.1.7.1.5 specialty clinics;
 3.1.7.1.6 optometry services;
 3.1.7.1.7 inpatient and outpatient emergency and minor surgery;
 endoscopy services, dental surgery, and general surgeries;
 3.1.7.1.8 obstetrics and gynecology, including labor and delivery
 services;
 3.1.7.1.9 pre- and post-operative care;
 3.1.7.1.10 anesthesia services;
 3.1.7.1.11 maternal and child health services, including early
 periodic screening, diagnostic services, prenatal care, infant case management, teen outreach,
 family planning and newborn patient education, assistance in risk screening, coordination of
 prenatal care for women awaiting delivery at the YKDRH, and prematernal centering services to
 provide education on parenting skills;
 3.1.7.1.12 comprehensive services to victims of sexual assault,
including participation in a Multidisciplinary Child Protection Team;
 3.1.7.1.13 clinical preceptorships, mentoring, shadowing, training,
 and supervision (directly and through telephonic and other telecommunication applications) for
 health care providers and students;
 3.1.7.1.14 direct and contracted regional, statewide, medevac and
 transport services, including urgent and critical care air ambulance services to ensure timely patient
 access between villages, YKDRH, ANMC, and any other outside tertiary care center, as necessary,
 including contracted air ambulance services;
 3.1.7.1.15 inpatient behavioral health evaluation, diagnosis, and
 treatment;
 3.1.7.1.16 swing beds; aftercare; skilled nursing care services;
 medical, public health, and preventative services; and other long-term care and assisted living
 services, in accordance with Section 205 of IHCA, as amended, 25 U.S.C. § 1621d;
 3.1.7.1.17 inter- and intra-agency care and case management;
 3.1.7.1.18 audiology services;
 3.1.7.1.19 services in support of organ procurement and
 transplantation;
 3.1.7.1.20 provides services to raise the dental health and lower the
 incidence of dental disease; ~~and~~
 3.1.7.1.21 outpatient sleep study services;
 3.1.7.1.22 infusion therapy services; and
 3.1.7.1.23 may also provide other PSFAs to meet the objectives of
 Section 3 of the IHCA, as amended.

3.1.7.2 Clinical Guidelines and Medical Informatics Services: Provides clinical standards to support clinical decision making and monitoring compliance.

3.1.7.3 Traditional Medicine: Emphasizes awareness, prevention, and knowledge in the areas of nutrition, physical health and spiritual health through traditional medicines and healing techniques. Includes counseling on healthy living practices, advice and application of traditional herbal and other natural remedies, maternal care and counseling, direct

traditional medical treatment in coordination with existing western medicine services, and training of traditional healing practitioners. Traditional health care practices are subject to Section 831 of the IHCIA, as amended at 25 U.S.C. § 1671.

3.1.7.4 Ancillary Services: Support, at sufficient levels, medical diagnosis and include, but are not limited to; telemedicine, telehealth, telepharmacy, teleradiology, physical therapy, including wound care services, respiratory therapy, diagnostic imaging, laboratory, pharmacy, social services, health information services, biomedical services, nutrition and dietetics services, environmental and incineration services, and medical supply and equipment distribution services, including durable medical equipment to patients.

3.1.7.5 Support Services: A complement of services required to support the provision of health services to the Yukon-Kuskokwim region may include, but is not limited to: interpreting and translation services; dietetics/nutrition services (including traditional subsistence foods); including services associated with health promotion and disease prevention events; plant operations and facilities management; housekeeping and linen services; security; human resources; administration and board support; central sterile supply; mailroom; patient and employee travel and travel management (to include airplanes, motor vehicles, boats, all terrain vehicles and other forms of transportation common to the Yukon-Kuskokwim region, including vehicles owned or leased by YKHC and privately owned vehicles); contract and property management; morgue services; telecommunications; financial management; including patient registration; billing, collection; coding and other business office functions; Medicare, Medicaid and other benefits enrollment services; and planning and implementation of an Electronic Health Records system. YKHC administers and manages federal and non-federal housing units for the benefit and support of YKHC health programs. When appropriate, YKHC enters into leases with public and private parties to obtain necessary housing and facilities.

3.1.7.5.1 Support Services Training: Provides training (including mentoring, shadowing, training, and apprenticeships) for those entering health administrative professions, including, but not limited to, medical coding and billing positions.

3.1.7.6 Patient Hostel and Other Alternative Housing: Provides temporary housing for YKHC clients and their families to facilitate access to care, including prematernal residential care.

3.1.7.7 Health Services Training: Provides health services training (including clinical preceptorships, mentoring, shadowing, training, and supervision of health care providers) through offering sites for medical residents and other individuals obtaining training in the health professions, including behavioral and dental professions.

3.1.8 Health Education and Nutrition Services for Women, Young Children and Infants: services to inform, educate, motivate, and support individuals and families to adopt and maintain healthy lifestyles, including FAS/FAE and nutrition education, supplemental food, counseling, and other services for women, young children, and infants who are at nutritional risk.

3.1.9 Immunization Services. Provides immunization services in accordance with Federal, State, and local requirements.

3.1.10 Public Health, Epidemiology, and Research: Directly and/or indirectly through ANTHC, including its Epidemiology Center⁴, the CDC Arctic Investigations Program, and other research institutions, YKHC carries out public health, epidemiology and health research functions, and human subjects research functions and activities, subject to the approval of the YKHC Human Studies Committee, the Executive Board, and the relevant institutional review board. These activities include, but are not limited to:

3.1.10.1 collecting and receiving personally identifiable health information for the purpose of:

3.1.10.1.1 preventing or controlling disease, injury, or disability; and

3.1.10.1.2 reporting disease, injury, and vital events such as birth and death; and

3.1.10.2 conducting public health and epidemiological investigations, surveillance, and interventions, including the maintenance of disease and injury registries.

3.2 Board of Directors. The tribally-elected Board provides policy and direction for YKHC for the benefit of the 58 Federally-recognized Tribes in the Yukon-Kuskokwim Delta.

3.3 Administrative Services. Develops, interprets, coordinates, and administers the organization's policies on finance, accounting, payroll, insurance, data processing, internal controls, auditing, materiel management, legal, corporate compliance, and human resources.

3.3.1 Human Resources:

3.3.1.1 Generally: Provides personnel services, including staffing (recruitment and retention), job classification, pay and benefits administration, training and development, employee relations, human resources information systems, and Native hire/record-keeping, Native hire, and compliance with applicable federal and state employment laws.

3.3.1.2 Area Health Education: Provides, manages, and tracks training and development to increase the knowledge and skills of current and future employees through training, career pathways, staff development, management and leadership training, post-secondary education, student outreach, and other health provider training provided directly and with other support.

3.3.2 Materiel Management and Purchasing: Provides 24/7 materiel management for the acquisition, storage, and distribution of supplies and equipment, including arranging for receipt and delivery of incoming supplies and orders for all YKHC facilities.

⁴ ~~The ANTHC Epidemiology Center was previously operated by the Alaska Native Health Board.~~

3.3.3 Finance: Performs accounting and statistical records, payroll, accounts payable, grant requests and administration, and other finance activities, and coordinates reimbursement, budgeting and forecasting programs, cash management, and annual third-party audits.

3.3.4 Technology/Telecommunication Services: Directs, coordinates, and executes telecommunications, telephone and PBX, data processing, Help Desk support, Switchboard, training and education, network and information management for operations of YKHC; provides maintenance, inventory, and equipment repair; and coordinates regional and statewide efforts for telemedicine, telehealth, telepharmacy, and teleradiology services.

3.3.5 Administrative Support Services: Provides services including, but not limited to, Community Relations, Quality Improvement, Risk Management, Safety, Security Services, Infection Control, and Employee Health.

3.3.6 Office of the President and CEO: Manages the affairs and property of YKHC in accordance with direction from the Native peoples of the Yukon-Kuskokwim Region acting through the Board of Directors. This office includes the Vice-President for Health Services, Vice-President for Support Services, Chief Financial Officer, Office of the Medical Director, and the Office of General Counsel. This office establishes the philosophy, nature, and scope of services for the Yukon-Kuskokwim Health Corporation. In addition, this office improves health care delivery in the region by seeking input from the villages and by providing technical analysis of health care policy issues on a regional, statewide, and national basis. Functions as liaison with local, regional, State, and national entities to address legislative issues, grants, contracts, funding, and planning. Develops and monitors public relations strategies and facilitates planning as appropriate. This office oversees and coordinates administrative departments for the efficient and effective operation of YKHC.

3.3.7 Public Relations: Provides technical assistance and support to Tribes to enhance development and expansion of grants available to member Tribes and YKHC programs. Also provides research and planning, grant writing, media services, internet-based information sharing, videography, audio, monthly and annual reports to the people, and coordination of the annual Tribal Gathering.

3.3.8 Office of Environmental Health and Engineering:

3.3.8.1 Generally: Provides broad, comprehensive environmental health services to facilities that are operated by Alaska Native Tribes and tribal organizations and to entities that primarily serve Alaska Natives, including, but not limited to, management of hazardous waste materials, industrial hygiene, sanitarians, solid waste recycling, zoonotic services, the tribal-federal rural utility cooperative, regional laboratory to collect, receive and ship specimens from the natural environment for testing of disease, and related services.

3.3.8.2 Sanitary Systems: Provides operations, maintenance, educational and technical assistance, consultative services, informational surveys and specialized training

activities to communities on water and sewer systems, solid waste disposal systems and related services.

3.3.8.3 Zoonotic Disease Prevention: Provides public health services including diagnosis, surveillance, epidemiology, control, prevention, and elimination of communicable and vector-borne diseases including but not limited to coordination of spay/neuter services and vaccinations for animals.

3.3.9 Facility Management and Planning: Provides assistance, planning, design, engineering, management, and general contracting for construction, demolition, and clean-up, maintenance, and operation of all facilities and properties used by YKHC under this Funding Agreement, including both federal facilities and those leased or owned by YKHC. YKHC assumes, under section 509 of the Act [25 U.S.C. § 458aaa-8], all Federal responsibilities under the NEPA of 1969 [42 U.S.C. § 470 et seq.] and the National Historic Preservation Act [16 U.S.C. § 470 et seq.] and related provision of law that would apply if the Secretary were to undertake a construction project, but only those responsibilities directly related to the completion of the construction project being assumed. These facilities include all administrative and program facilities, YKDRH, subregional clinics, Village Built Clinics, residential treatment facilities, employee housing (including quarters for employees. The Village Built Clinic lease program is also managed by this program director. This program also provides technical assistance and construction related services. In addition, this program includes conduct of a study of opportunities that might exist to achieve efficiencies in operation of water and sewer utilities throughout the regions, such as the Rural Utility Cooperative.

YKHC will submit to AANHS a Project Summary Document (PSD) or Program Justification Document (PJD), as appropriate, for any project in a federally-owned facility for construction, renovation, or acquisition of space: for projects started before October 1, 2005, costing more than \$25,000, including non-IHS funds, and for projects started on or after October 1, 2005, \$100,000, including non-IHS funds. For projects that require additional funds from IHS, YKHC may proceed with the project only after receipt of approval of the PSD or PJD from IHS. YKHC will report to IHS information required for maintenance of the IHS real property system.

3.3.10 Legal: Provides legal advice and representation to YKHC; confers with YKHC employees on legal matters; supervises and coordinates outside counsel activity. ~~This office, oversees contract management; prepares and coordinates administrative departments for the efficient reviews legal documents and effective operation of YKHC, including, but not limited to, Quality Improvement/Risk Management other records; and Safety, Security Services, and Switchboard performs other duties as assigned.~~

3.3.11 Corporate Compliance: Provides corporate-wide compliance activities including, but not limited to, training, consultation, auditing, and monitoring, designed to assure adherence to all Federal, State, local, and external regulatory requirements. This office oversees and coordinates the Privacy Program, implementation of the Code of Conduct, and corporate initiatives in response to changes in the regulatory environment.

3.4 Other Programs/Services Funded. This Funding Agreement includes programs, functions, services, and activities resulting from tribal redesign or consolidation, reallocation, or redirection of funds, including its own funds or funds from other sources, provided that such consolidation, redesign, or reallocation or redirection of funds results in carrying out programs, functions, services, and activities that may be included in the funding agreement pursuant to section 505 of Title V and Article III, Section 6 [Consolidating with Other Programs] of the Compact. This includes any other new health care programs, including, but not limited to, those identified in the Indian Health Care Improvement Act funded during the fiscal year.

3.5 Federal Tort Claims Act. The Federal Tort Claims Act applies to YKHC's PSFAs under this Funding Agreement, as provided in Section 516(a) of Title V (which incorporates Section 102(d) of Title I of the Act and Section 314 of P.L. 101-512) and Article V, Section 3 [Federal Tort Claims Act Coverage; Insurance] of the Compact. The extent of Federal Tort Claims Act coverage is described more particularly in 25 C.F.R. §§ 900.180-900.210.

3.6 Non-IHS Funding. YKHC will complement and supplement the PSFAs described throughout Section 3 [Tribal Programs and Budget] with funding from sources other than IHS through this Funding Agreement, subject to the availability of such other funding sources. Consistent with Article III, Sections 5 [Reallocation], 6 [Merging with Other Programs], and 7 [Program Income] of the Compact, non-IHS funds will be added to or merged with funds provided by IHS through this Funding Agreement.

3.7 Tribal Facilities and Locations. YKHC operates the programs described in this Funding Agreement out of more than one facility or location. These include, but are not limited to, the facilities and locations listed in Appendix E, which will be submitted prior to the effective date of this Funding Agreement and will be incorporated by reference herein. The Area Division of Planning, Evaluation, and Health Statistics shall compile from this Appendix a list of all health facilities and locations identified in the Appendix and forward that list annually to the Headquarters' Office of Program Statistics, which shall include each of these facilities and locations in the annual list it must provide to the Centers for Medicare and Medicaid Services (CMS) (formerly Health Care Financing Administration) pursuant to the Memorandum of Agreement between the Health Care Financing Administration and the Indian Health Service (December 19, 1996).

3.8 Payer of Last Resort. Whether providing, purchasing, or authorizing health care services described in the Compact and this Funding Agreement, in accordance with Section 2901(b) of Pub. L. 111-148 [25 U.S.C. § 1623(b)], and as otherwise provided in law, YKHC shall be the payer of last resort.