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**CHAPTER 39: AMERICAN INDIAN 638 CLINICS**

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### **OVERVIEW**

The Centers for Medicare and Medicaid Services (CMS) entered into a Memorandum of Agreement (MOA) with the Indian Health Services (IHS) to allow states to claim 100 percent federal medical assistance for payments made by the state for services rendered to Medicaid eligible American Indians and Alaska Natives through an IHS owned or leased facility or a tribal “638” facility. Tribal “638” facilities are those facilities owned and operated by American Indian and Alaska Native tribes and tribal organizations with funding authorized by Title I or III of the Indian Self-Determination and Education Assistance Act (Public Law 93-638, as amended).

The Louisiana Department of Health (LDH) may cancel participation of a “638” facility in the Medicaid Program if it is determined:

1. The facility is not providing care in compliance with Medicaid regulations and/or state laws;
2. The healthcare needs of the Louisiana American Indian population are not being met by the facility; or
3. CMS discontinues the terms of the MOA with Indian Health Services.