

Behavioral Health is Essential To Health



Prevention Works



Treatment is Effective



People Recover



Tribal Law and Order Act of 2010

Obligations Imposed Upon

The Substance Abuse and Mental Health Services Administration

**Dennis O. Romero, MA, Director (Acting)
Office of Indian Alcohol and Substance Abuse
SAMHSA's Center for Substance Abuse Prevention**

**NASADAD Annual Meeting
Racing To The Future: Embracing Quality and
Improving Performance**

**The Westin Indianapolis
Indianapolis, IN
June 7-10, 2011**



SAMHSA → LEADING CHANGE

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→ **Mission:** To reduce the impact of substance abuse and mental illness on America's communities

→ **Roles:**

- Leadership and Voice
- Funding - Service Capacity Development
- Information/Communications
- Regulation and Standard setting
- Practice Improvement

→ **Leading Change – 8 Strategic Initiatives**

Setting the Stage

- Indian reservations nationwide face violent crime rates more than 2.5 times the national rate.
- Some reservations face more than 20 times the national rate of violence.
- More than 1 in 3 AI/AN women will be raped in their lifetimes and 2 in 5 will face domestic or partner violence.

Setting the Stage

(Continue)

- The DOJ also found that at least 86% of rape and sexual perpetrators are non-Indian.
- Less than 3,000 BIA and tribal police patrol more than 56 million acres of Indian lands.
- Foreign drug cartels are aware of the lack of police presence on Indian lands and have been targeting some reservations to distribute and manufacture drugs.

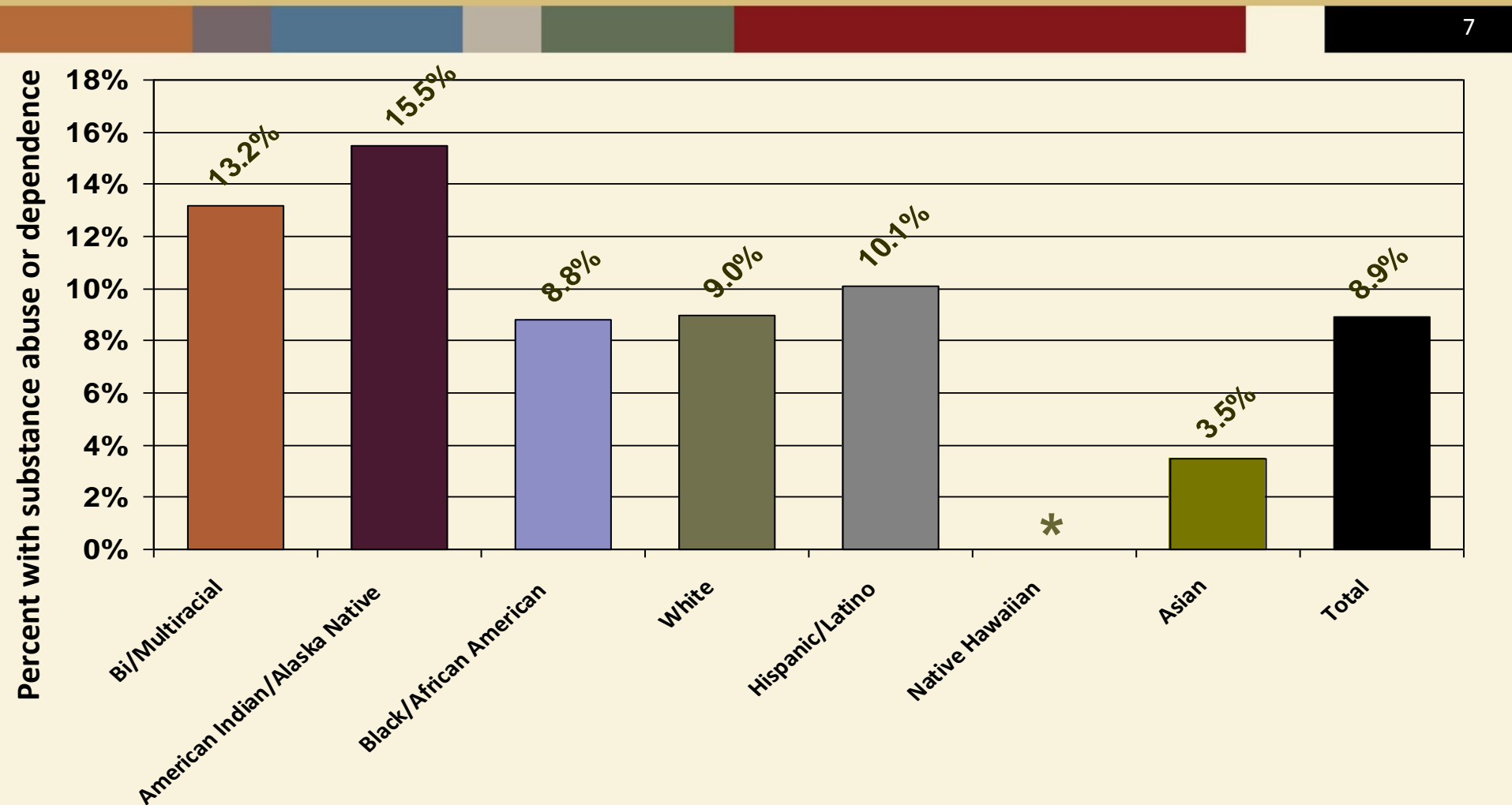
INDIAN COUNTRY AT A GLANCE

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Challenges in AI/AN Communities:

- Higher adolescent death rates
- Higher youth suicide rates
- Higher past month binge alcohol use
- Higher past month illicit drug use
- Higher sexual assault rates against females
- Higher homicide rates against women
- Higher rates of intimate partner violence against women
- Higher rates of incarceration and arrest
- Higher rates of historical trauma
- Lower M/SUD treatment rates in non-IHS/specialty treatment settings

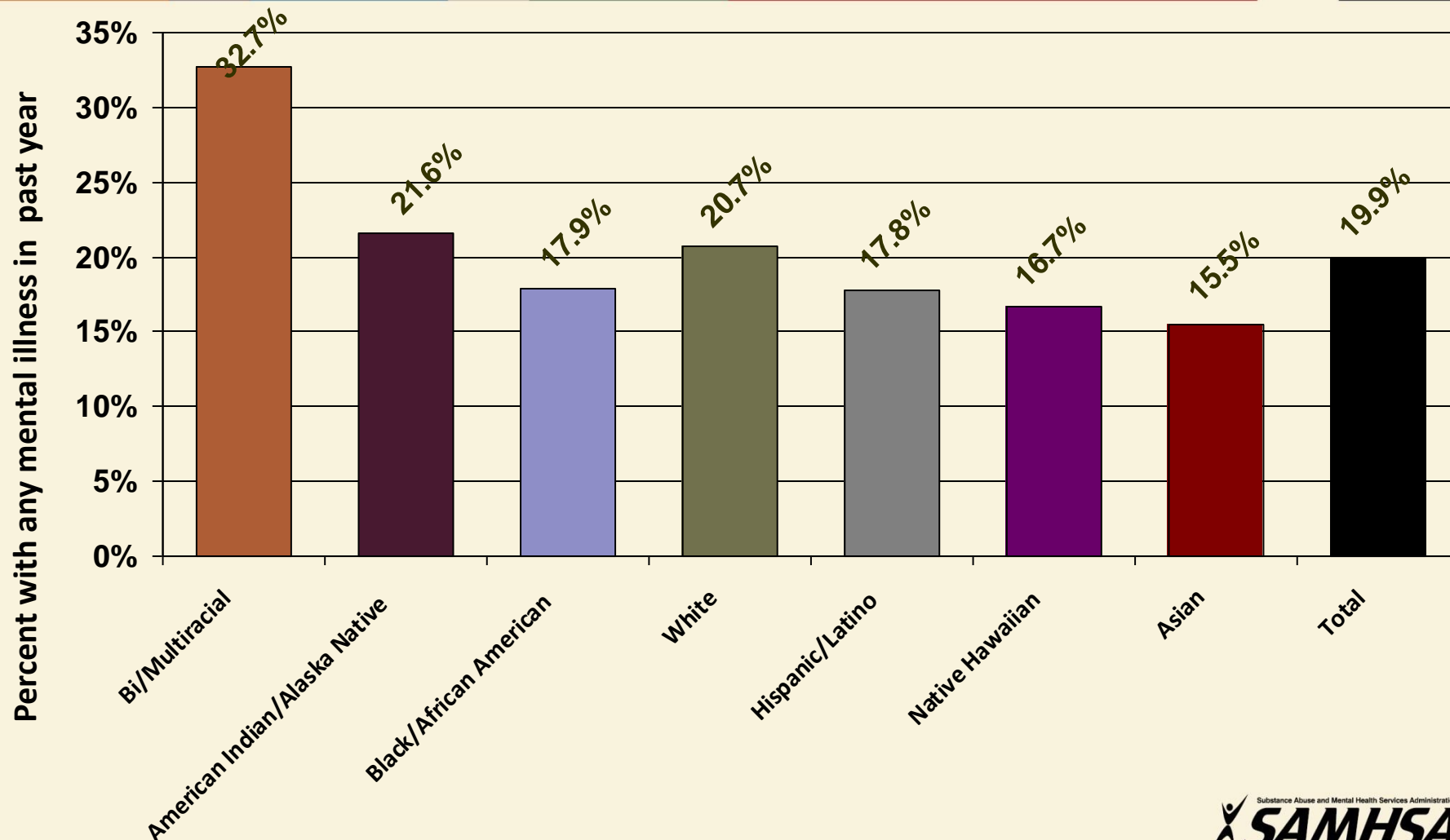
Percent of persons 12 or older who met criteria for substance abuse or dependence by race/ethnicity: 2009



*Low precision; no estimate reported
Source: 2009 NSDUH

Percent of persons 18 or older who met criteria for any mental illness by race/ethnicity: 2009

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Source: 2009 NSDUH

TRIBAL LAW AND ORDER ACT (TLOA)

SIGNED INTO LAW ON JULY 29, 2010

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- **Anti Drug Abuse Act of 1986**
 - **Title IV: Demand Reduction**
 - **Subtitle C: Indians and Alaska Natives**
 - **Short Title: IASAPTA**
- **Tribal Law and Order Act of 2010 (TLOA)**



THE TRIBAL LAW AND ORDER ACT OF 2010 IN BRIEF

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TLOA Amends 7 Provision of Anti Drug Abuse Act

Title I: Indians Arts and Crafts Amendments

Title II: Tribal Law and Order

Subtitle D - Tribal Justice Systems

Section 241: Indian Alcohol and Substance Abuse

Specifically addresses SAMHSA's responsibilities

**The Act reauthorizes and amends the Indian Alcohol and
Substance Abuse Prevention and Treatment Act (IASA) of 1986**

THE TRIBAL LAW AND ORDER ACT OF 2010
Subtitle D – Tribal Justice Systems, Section 241
SAMHSA's Responsibilities

- **Office of Alcohol and Substance Abuse (25 U.S.C. 2413)**
- There is established within SAMHSA the Office of Indian Alcohol and Substance Abuse.
 - The SAMHSA Administrator shall appoint a Director (permanent position, GS-15) of the Office
 - An Indian Youth Programs Officer (GS-14).
 - Appoint employees to work in the Office and provide funding, services, and equipment necessary for the operation of the Office.

KEY TLOA FEDERAL PARTICIPANTS

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- Office of the President (President)
- Majority Leader of the Senate
- Minority Leader of Senate
- Speaker of the House of Representatives
- Minority Leader of the House of Representatives
- The Office of the Attorney General
- The Secretary of the Interior
- The Secretary of Health and Human Services
- Department of Education
- Office of Justice Services
- Department of Justice
- Federal Bureau of Investigation
- Indian Law and Order Commission
- Administrative Office of the U.S. Courts
- Bureau of Indian Affairs
- GAO (Comptroller general)
- The Office of the U.S. Attorney
- Bureau of Prisons (Director of BOP)
- Bureau of Indian Education
- Indian Law Enforcement Foundation
- Indian Health Services
- SAMHSA
- Native American Issues Coordinator

CURRENT PARTNERS SAMHSA COULD LEVERAGE FOR WORK ON TLOA

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➤ Within Department of Health and Human Services (HHS)

- Administration for Children and Families (ACF)
- Administration on Aging (AoA)
- Centers for Disease Control and Prevention (CDC)
- Food and Drug Administration (FDA)
- Health Resources and Services Administration (HRSA)
- Indian Health Service (IHS)
- National Institutes of Health (NIH)
 - NIAAA
 - NIDA
 - NIMH
 - Office of Minority Health
- Office of the Surgeon General (OSG)
- Centers for Medicare and Medicaid Services (CMS)

CURRENT PARTNERS SAMHSA COULD LEVERAGE FOR WORK ON TLOA

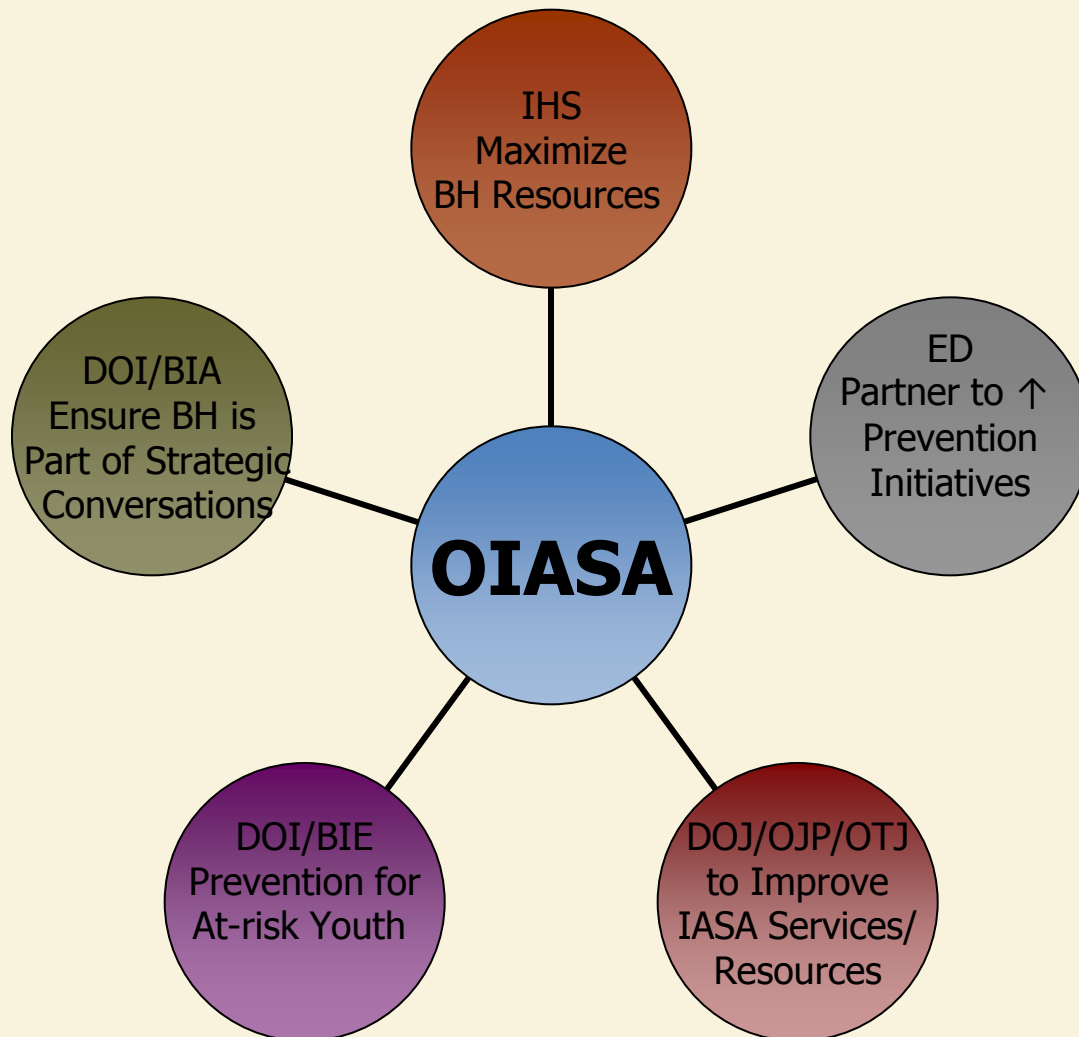
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➤ Other Federal partners outside of HHS

- Department of Defense (DOD)
- Department of Education (ED)
- Department of Interior (DOI)
 - Bureau of Indian Affairs (BIA)
 - Bureau of Indian Education (BIE)
- Department of Justice (DOJ)
 - Drug Enforcement Administration (DEA)
 - Office of Juvenile Justice and Delinquency Prevention (OJJDP)
 - Office of Justice Programs (OJP)
- Office of National Drug Control Policy (ONDCP)

SAMHSA'S OIASA COORDINATING RESPONSIBILITIES

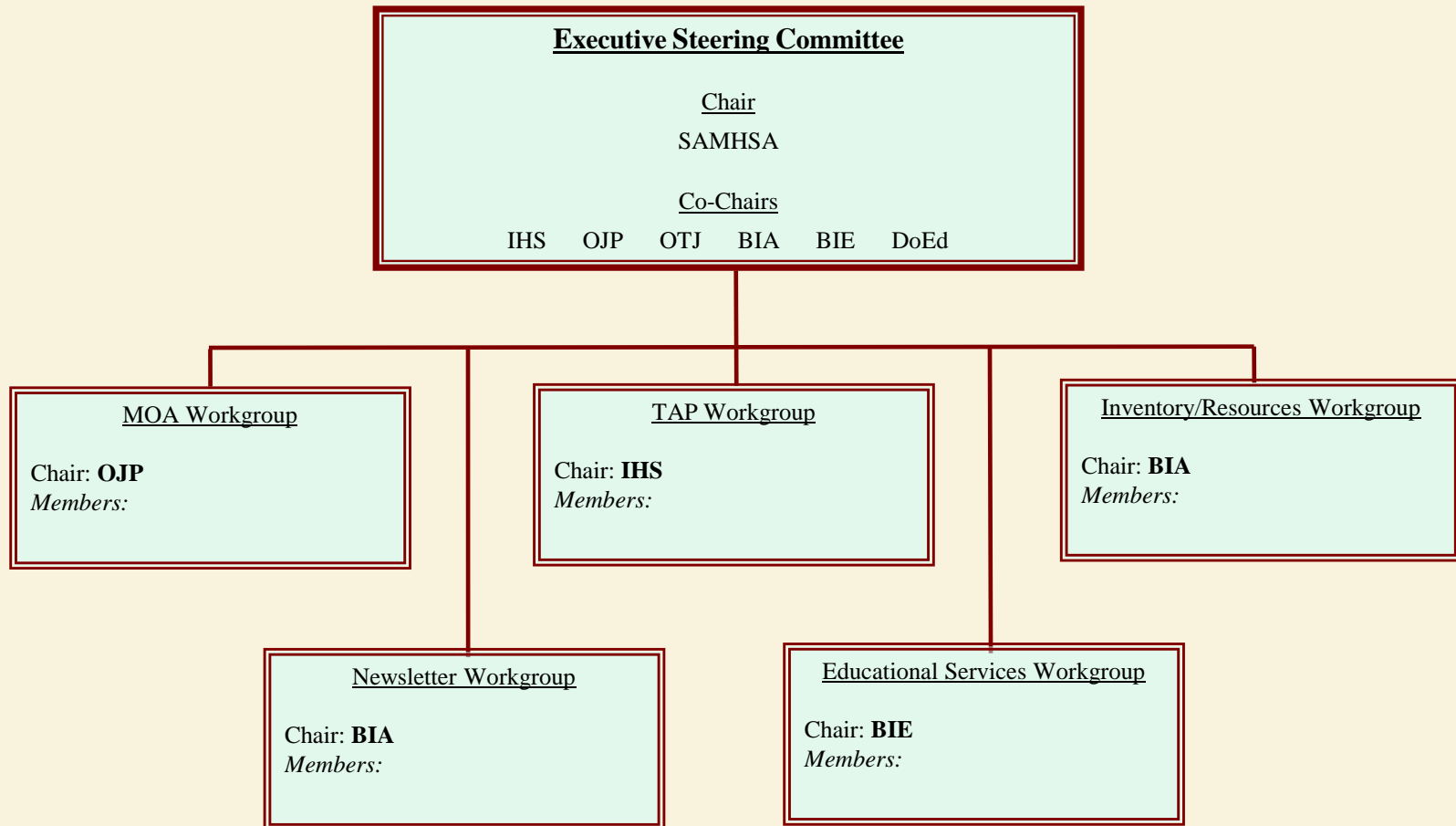
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Also Engage:

- HHS
 - ACF
 - AoA
- WHITCU
- ONDCP
- HUD*
- DOL
- DOE*
- DOC*

IASA INTER-AGENCY COORDINATING COMMITTEE



Tribal Coordinating Committee WORKGROUP

- The Tribal Coordinating Committee has primary responsibility of implementation of the Tribal Action Plans.
- The Executive Steering Committee of the IASA Interdepartmental Coordinating Committee will serve in the role of the Tribal Coordinating Committee, providing final guidance, direction, coordination and securing the appropriate federal efforts in assisting Tribes to implement their Tribal Action Plan as it relates to alcohol and substance abuse prevention and treatment.
- SAMHSA to become an equal, participating member on Federal Tribal Coordinating Committee (25 U.S.C. 2412)
 - Develop process with partners to monitor efforts & outcomes

MOA WORKGROUP

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- Oversee legal review of document
- Establish and manage overall coordination of comments from the various federal agencies
- Compile, consolidate, and shepherd clearance process
- Secure final Cabinet-level signatures
- Coordinate publication of MOA in Federal Register as required by law
 - TLOA requires DOI, DOJ and HHS secure the MOA no later than July 29, 2011

TAP WORKGROUP

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- Establish operating framework and provide guidelines for Tribes consistent with requirements of available Federal resources
- Develop inventory of current proven strategies - practice based evidence models
- Manage overall coordination of Tribal requests for assistance in development of tribal action plans
- Coordinate assistance/support to Tribes as deemed feasible
- Collaborate with Inventory Workgroup in developing an appropriate response back to Tribal entities seeking assistance

INVENTORY/RESOURCE WORKGROUP

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- Establish an operating model → gather, maintain, and update current Federal efforts/capacity toward:
 - T/A contracts and services
 - Grants
 - Contracts
 - Cooperative agreements
- Manage overall coordination of these efforts
- Collaborate with TAP Workgroup in developing appropriate response back to Tribal entities seeking assistance

NEWSLETTER WORKGROUP

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- Establish operating protocol and procedures to publish an alcohol and substance abuse newsletter reporting on Indian projects and programs
 - With Secretary of Health and Human Services
 - With Secretary of Education
- Publish once in each calendar quarter
- Include reviews of programs determined by the Secretary of the Interior to be exemplary
- Provide sufficient information to enable interested persons to obtain further information about such programs

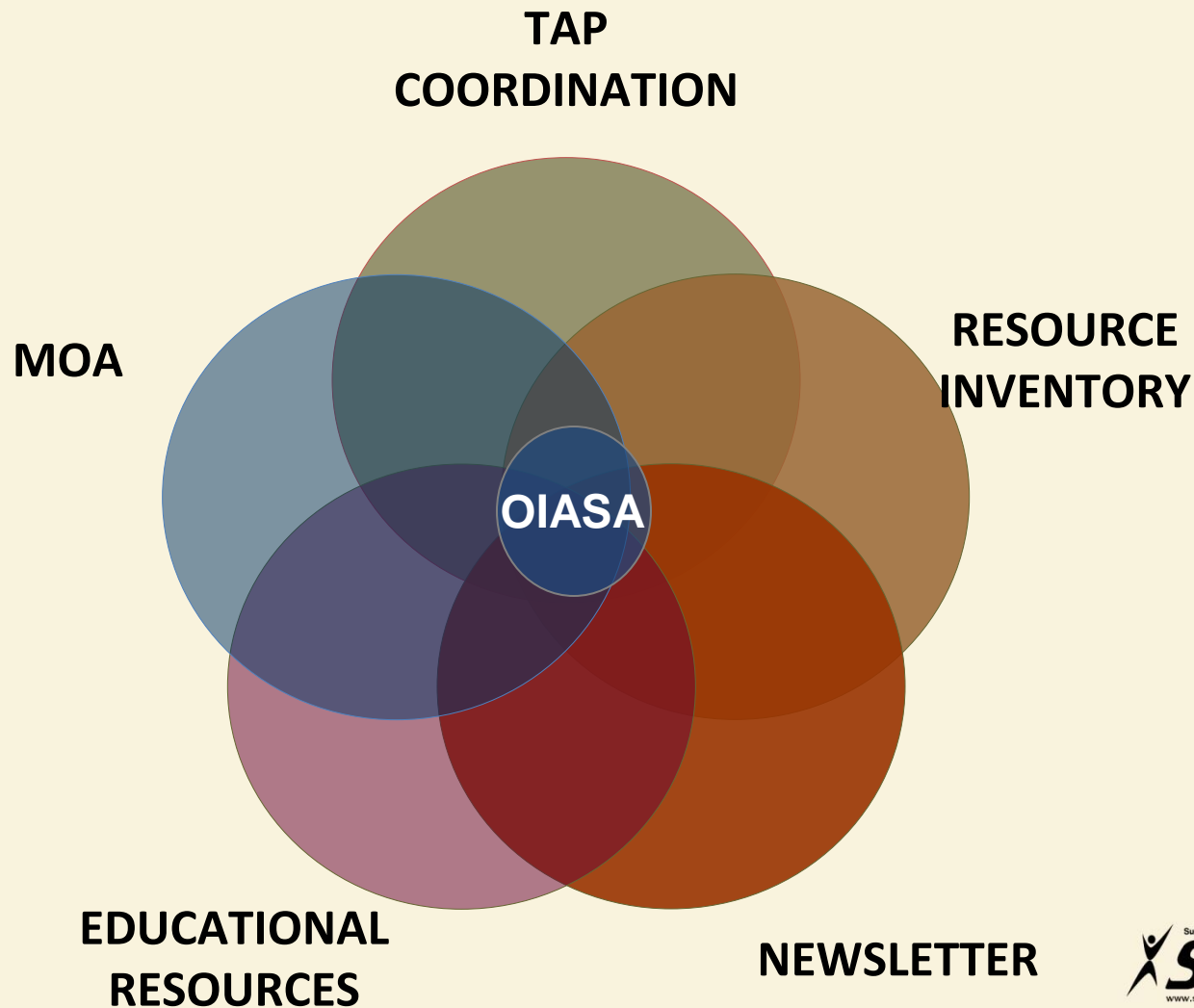
EDUCATIONAL SERVICES WORKGROUP

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- Establish an operating model → gather, maintain, and update current Federal efforts/capacity with toward:
 - Federal programs providing education services or benefits to Indian children
 - Tribal, State, local, and private educational resources and programs
- Accomplished by
 - Secretary of the Interior
 - Attorney General
 - Secretary of Health and Human Services
 - Secretary of Education (In Cooperation)
- Results of reviews provided to each Tribe as soon as possible for consideration/use in development/modification of a TAP

SAMHSA LEADERSHIP FOR IASA COORDINATED EFFORTS

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Implementation update

Progress Made

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- **Consultations / Listening Sessions**

- Attended and participated in several consultation/listening sessions
- December 8, 2010 – Formal Consultation on MOA
- May 8, 2011 – Formal COnsultation

- **Outreach**

- National Tribal Organizations: NIHB , NCAI,, NCUIH, AAIP, NNAAPC, NIEA
- Presentations: ATNI, NIEA, National Symposium, NAICJA, Intertribal Court of Southern California, IC Detention Summit, Tribal Justice Jail Administrators' Forum , Intertribal Court Tribal Justice Council
- Federal Partners: DOE , DOI, DOJ, OAG, HHS
- White House Coordinating Workgroup
- IASA Inter-agency Coordinating Committee (4 Depts./16 Components/44 Members)
 - MOU
 - Tribal Action Plan *

Summarizing the Tribal Law and Order Act of 2010

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***Collaboration and Cooperation
is the Key!***

THANK YOU

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