

**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

WHEREAS, on July 27, 1994, the White Mountain Apache Tribe, pursuant to Resolution No. 02-94-047, entered into a lease agreement with Renalwest Company, to allow the placement of a kidney dialysis facility within the Fort Apache Indian Reservation; and

WHEREAS, the Tribe brought the dialysis facility onto the Reservation to benefit the Tribal residents who were forced to travel long distances for dialysis treatment; and

WHEREAS, Tribal Council concluded that on-reservation treatment would be more convenient for Tribal residents and would promote better treatment and service in a setting which is more familiar to Tribal residents; and

WHEREAS, in early 1995 the Chilwozh Dialysis Center was opened, serving Tribal members and residents, as well as patients from the entire White Mountain region; and

WHEREAS, it is recommended that an oversight committee be established to provide a voice for the concerns of patients at the facility, and to act on behalf of the Tribe in enforcing certain provisions of the lease agreement, including employment standards and provisions setting forth the lessor's obligations to assist with community education concerning kidney disease and dialysis; and

WHEREAS, the structure authority, and responsibilities of the Committee are fully described in the bylaws, attached to the Resolution.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the appointment of a Dialysis Committee and the adoption of the attached bylaws to govern the Committee's actions and responsibilities.

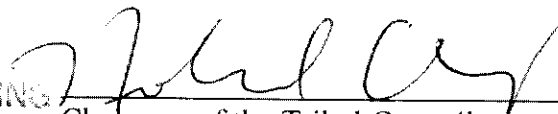
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it appoints the following to the Dialysis Committee for an indefinite term subject to reappointment or removal by the Tribal Council:

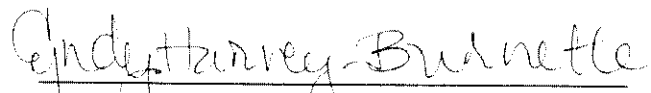
1. Executive Director of the Tribal Health Authority
2. Director of the Client Business Office
3. Representative from the patients who receive treatment at the facility — to be selected by the other members of the Committee
4. Representative from the Realty Department

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5. Representative from the Indian Health Services, in non-voting capacity only
6. Director of TERO
7. Community Health Representative - Diabetes Education Coordinator
8. Representative from the Treasurer/Business Office
9. Director of Apache Diabetes Wellness Center
10. Health Board Chairperson
11. Representative from the Legal Department

The foregoing resolution was on April 8, 1999 duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (h), (i), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

ACTING 
Chairman of the Tribal Council


Secretary of the Tribal Council

BYLAWS FOR
WHITE MOUNTAIN APACHE DIALYSIS COMMITTEE

WHEREAS, the White Mountain Apache Tribe, through its inherent sovereign powers and Tribal Constitution may act on behalf of its members and other persons within its boundaries; and

WHEREAS, the Tribal Council, under the authority vested in it by the White Mountain Apache Tribal Constitution, including Article IV, Sections 1(a), (r), (s), (t) and (u), represents the Tribe's welfare and establishes and regulates subordinate committees to act for the Council;

NOW, THEREFORE, the Tribal Council of the White Mountain Apache Tribe establishes the White Mountain Apache Tribe Dialysis Committee, subject to the terms and conditions as follows:

1. PURPOSE

The Dialysis Committee is established to speak for the Tribe on all matters related to the quality of treatment and other services provided through the Chilwozh Dialysis Center and other dialysis related activities, to assure that all patients receive the highest standard of health care without prejudice.

2. COMMITTEE STRUCTURE

A. The Committee shall be composed of not less than five nor more than eleven members appointed by the Tribal Council. Committee members shall serve an indefinite term, subject to removal at any time by the Council. The Community Health Representative Diabetes Education Coordinator shall serve as the administrator for the Committee, except as may be otherwise directed by the Committee. The Committee shall designate one of its members as the Committee Chairperson for a one year term. Ex Officio, non-voting, memberships may be granted as designated by the Committee.

B. The Committee shall conduct its business at regular meetings held quarterly, and more often as needed. A majority of the appointed members, duly assembled, shall constitute a quorum. Any member of the Committee may select an alternate who may vote for that member, if the member is unable to attend a meeting. If both the member and alternate are present for a meeting, only the member shall be permitted to vote.

C. The Committee shall serve under the direction of and make reports of its activities,

as needed, to the Tribal Council. The Committee shall also coordinate its activities with the Inter Agency Coordinating Committee (IACC) and on a quarterly basis report to the IACC.

D. Upon the submission of approved vouchers, mileage and honorariums may be paid to those members attending meetings who are not on the payroll of the Tribe, or any other employer.

3. POWERS AND DUTIES

The Committee shall:

(a) Serve as the primary liaison between the Tribe, on behalf of dialysis patients and the community, and Renalwest, the dialysis provider, and, if needed, mediate any disputes which may arise.

(b) Bring quality of care issues on behalf of patients to the attention of Renalwest and the Tribe.

(c) Act on the Tribe's behalf to enforce the Quality Assurance Plan under Article 37 A of the lease agreement between the Tribe and Renalwest.

(d) Assist, offer guidance and act on the Tribe's behalf to enforce the education responsibilities of Renalwest under its lease agreement with the Tribe, Article 37 B, and coordinate other public education programs related to diabetes and dialysis.

(e) In conjunction with the Tribal Employment Rights Office, promote employment opportunities for members of the White Mountain Apache Tribe at the Chilwozh Dialysis Center, pursuant to Article 29 of the lease agreement between the Tribe and Renalwest.

(f) Act on the Tribe's behalf in carrying out other duties as designated by the Tribal Council.

(g) Expend funds, if given a budget.

(h) Carry out other duties and enter into cooperative agreements consistent with its mission as indicated in these Bylaws.

APPROVED THIS ____ DAY OF ____, 1999, Resolution number ____, by the Tribal Council of the White Mountain Apache Tribe.