

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

- WHEREAS**, the White Mountain Apache Tribe has identified the development and implementation of a long term care facility on tribally approved land as a tribal priority; and
- WHEREAS**, the White Mountain Apache Tribe long term care facility will be based upon a tribally designed continuum of care which will include, but not be limited to: home and community based services; adult day care; assisted living care; skilled nursing care; non-emergent transportation; and other services as may be identified; and
- WHEREAS**, the White Mountain Apache Tribe has identified necessary funds to begin the planning of this initiative; and
- WHEREAS**, numerous tribal members are eligible to receive Medicaid services; and
- WHEREAS**, the White Mountain Apache Tribe currently has a long term care Intergovernmental Agreement with the Arizona Health Care Cost Containment System (AHCCCS); and
- WHEREAS**, the White Mountain Apache Tribe is currently providing Medicaid covered behavioral health services to its tribal members through a P.L. 93-638 contract; and
- WHEREAS**, the White Mountain Apache Tribe seeks to establish and maintain a consistent and direct government-to-government relationship with Region IX of the Health Care Financing Administration (HCFA) in accordance with HCFA consultation policies.
- BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it formally announces to AHCCCS, HCFA, Arizona Department of Health Services (ADHS) and the Indian Health Service (IHS) its official intent to establish a culturally oriented long term care facility.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby requests a release of public information from AHCCCS, HCFA, ADHS and IHS to be made available in a timely manner to the White Mountain Apache Tribe Long Term Care Facility (LTCF) Initiative.
- BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that technical assistance for the White Mountain Apache Tribe be provided and that necessary and appropriate meetings be scheduled with the aforementioned entities.

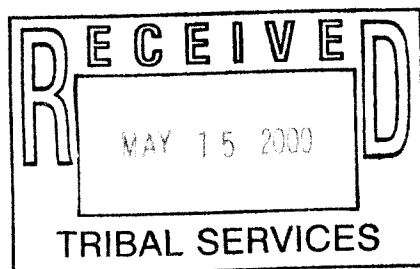
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache tribe that it requests that reimbursement methodologies including fee for service, capitation, Office of Management and Budget rates and specialty care rates be negotiated in good faith with applicable entities during the development of the LTCF Initiative.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby verifies that the White Mountain Apache Tribe has a P.L. 93-638 contract with the Indian Health Service for specified Medicaid services that qualify for 100% federal pass through funds from HCFA and AHCCCS in accordance with the IHS/HCFA Memorandum of Agreement and 42 CFR Section 1915(b).

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby reserves the right to request applicable waivers for the LTCF Initiative from AHCCCS, ADHS, HCFA, and IHS as identified in federal, state, and tribal law during the course of development to ensure the initiative is truly Indian designed, culturally oriented and encompasses a continuum of care approach.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby requests that a meeting be scheduled with HCFA in the month of June, 2000 to present, preview and gain input and advice from HCFA authorities on the LTCF initiative and that future and timely meetings be agreed upon as the need for consultation is required.

The foregoing resolution was on May 8, 2000, duly adopted by a vote of SEVEN for and ZERO against, and TWO abstentions 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) (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).



Frank DuFeld Jr
ACTING Chairman of the Tribal Council

Andy Harvey-Burnette
Secretary of the Tribal Council