



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorize Client Business Office to Regulate In-Home Health Care Services on the Fort Apache Indian Reservation)

- WHEREAS,** the Tribal Council of the White Mountain Apache Tribe (“Tribe”) is entrusted by the Tribe’s Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and
- WHEREAS,** the Tribal Council has established and delegated the Division of Health Programs (“DHP”) to oversee the public health departments on the Fort Apache Indian Reservation (“Reservation”) and to provide services to tribal members of the Tribe; and
- WHEREAS,** the Tribe entered into contracts and receives grant funding pursuant to the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638) and DHP has authority to decide how to administer the grant funding received; and
- WHEREAS,** DHP has comprehensive plans to improve services to tribal members, including continuing programs in progress and expanding services in the communities of Whiteriver, Cibecue and McNary. DHP has established the foundation and infrastructure to continue these services to tribal members of the Tribe; and
- WHEREAS,** the Client Business Office (“CBO”) provides In-Home Health Care services for eligible tribal members on the Reservation; and
- WHEREAS,** CBO was previously deemed the exclusive provider for Tribal member In-Home Health Care services at home for eligible clients; and
- WHEREAS,** the Tribal Council has been informed there are non-Tribal businesses providing in-home healthcare services to eligible tribal members without any existing contracts or oversight by the Tribe; and
- WHEREAS,** CBO has developed Home Healthcare Policy and Procedures to assist with the monitoring and regulation of contracted providers providing In-Home Health Care services on the Reservation for the safety and well-being of eligible tribal members receiving in-home services; and
- WHEREAS,** the In-Home Health Care Contracts allows eligible tribal members to obtain medical services that they would not otherwise receive because In-Home Health Care is beyond the scope of services available at the Whiteriver Service Unit and the Cibecue Health Center; and

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WHEREAS, the Tribal Council finds it in the best interest of the Tribe to authorize CBO and DHP to regulate In-Home Health Care Services on the Reservation, including but not limited to negotiations of contracts of In-Home Health Care Services, the selection of In-Home Health Care providers that will provide services to eligible tribal members on the Reservation, authorization of business licenses to contracted providers, and administrative oversight of contracted providers as well as the collection of administrative fees.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes CBO and DHP to regulate In-Home Health Care Services on the Reservation, including but not limited to negotiations of contracts of In-Home Health Care Services, the selection of In-Home Health Care providers that will provide services to eligible tribal members on the Reservation, authorization of business licenses to contracted providers, and administrative oversight of contracted providers as well as the collection of administrative fees.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby advises Client Business Office to prioritize a renegotiation of contract with Soaring Eagle and to provide the Tribal Council with a conclusion.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **APRIL 11, 2018** duly adopted by a vote of **NINE** for, **ZERO** against, and **ONE** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

4/11/18
Date



Doreen T. Numkena, Tribal Secretary

4/17/18
Date