



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### (Approving a Management and Operations Agreement between Rainbow Treatment Center and Apache Diabetes Wellness Center)

---

**WHEREAS,** The Constitution of the White Mountain Apache Tribe of the Fort Apache Indian Reservation (“Constitution”) provides, as Article IV, Section 1(s) that the Tribal Council (“Council”) shall exercise the power “...to regulate organizations for economic and other purposes”; and

**WHEREAS,** Rainbow Treatment Center (“RTC”) and Apache Diabetes Wellness Center (“ADWC”) are both programs of the Tribe operating under the Department of Health Programs; and

**WHEREAS,** To comply with upcoming regulation changes from the Centers for Medicare and Medicaid Administration that impact third-party billing, RTC and ADWC have modified their administrative agreement to enhance coordination and oversight by designating ADWC as a contractor to RTC for designated service functions; and

**WHEREAS,** Whereas RTC desires to engage the ADWC to perform designated services for and at the direction of RTC, as provided for in the attached revised Management and Operations Agreement (“Agreement” incorporated herein); and

**WHEREAS,** Both RTC and ADWC wish to perform designated services (the “Services”) as provided for in the Agreement; and

**WHEREAS,** Council has reviewed the proposed amended agreement and finds that its approval will allow ADWC and RTC to remain compliant with relevant changes to federal regulations while still providing necessary services for the Tribe, and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the amended management agreement between the Rainbow Treatment Center and Apache Diabetes Wellness Center, as attached, is hereby approved and adopted, effective immediately.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby makes the following declarations about certain conditions which would otherwise be required by federal regulation, 25 C.F.R. Part 162:

***Resolution No. 04-2022-85***

**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 Chairwoman, or in her 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 14, 2022 duly adopted by a vote of ELEVEN for, ZERO against, and ZERO 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).

 4.21.22  4-21-2022  
Gwendena Lee-Gatewood, Chairwoman      Date      Doreen T. Numkena, Tribal Secretary      Date