

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Tohono O'odham Nation Health Care Agreements and Intergovernmental Agreements)

RESOLUTION NO. 18-055

1 **WHEREAS, the Constitution of the Tohono O'odham Nation vests the Legislative Council**
2 **with the power to "consult, negotiate and conclude agreements and contracts on**
3 **behalf of the Tohono O'odham Nation with Federal, State and local governments**
4 **and other Indian tribes or their departments, agencies, or political**
5 **subdivisions, or with private persons or organizations on all matters within the**
6 **authority of the Tohono O'odham Council." (Constitution, Article VI, Section**
7 **1(f)); and**

8 **WHEREAS, Tohono O'odham Nation Health Care ("TONHC") within the Nation's Department**
9 **of Health and Human Services provides health care services to Nation's**
10 **members at the Sells Hospital, San Simon Health Center, Santa Rosa Health**
11 **Center, San Xavier Health Center, or through purchase referred care; and**

12 **WHEREAS, in order to provide services, the Tohono O'odham Nation Health Care is**
13 **proposing to enter into the following agreements (collectively, "TONHC**
14 **Agreements and IGAs") for the services described:**

- 15 1. **Morrissey-HealthStream - to provide credentialing, billing, and peer**
16 **review software for managing medical staff;**
- 17 2. **Lippincott, a Wolters Kluwer Health, Inc. - to provide nursing**
18 **competencies, updated standards of care, and automated systems;**
- 19 3. **Intergovernmental Agreement with Indian Health Service ("IHS") - to**
20 **facilitate and direct the use of IHS and Nation's health care computer**
21 **networks;**
- 22 4. **Intergovernmental Agreement with Arizona Department of Health**
23 **Services - to prepare for emergency and disaster plans;**
- 24 5. **Donor Network of Arizona - to meet Medicare conditions of participation**
25 **for adoption of policies and procedures as they relate to offering the**
26 **option of organ, tissue and eye donation within Sells Hospital;**
- 27 6. **Intergovernmental Agreement with Arizona Health Care Cost**
28 **Containment System ("AHCCCS") for Health-e-Arizona Plus ("HEAplus") -**
29 **to register and confirm coverage for patients for benefits, including**
30 **Medicaid, Medicare Cost Savings Program, nutrition and cash assistance**
31 **programs;**
- 32 7. **MedTurn, Inc. - to enable the Nation to participate in a prescription drug**
33 **take back program; and**
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1 8. **Southern Arizona Health Care Coalition - to enable the Nation to**
2 **augment its disaster plan; and**

3 9. **ScriptCare, Inc., Tredium Solutions, and other similar types of**
4 **agreements (commonly referred to as POS Insurer Agreements) - to**
5 **enable TONHC to submit claims to insurance companies for payments;**
6 **and**


7 **WHEREAS, the proposed TONHC Agreements and IGAs include indemnification clauses,**
8 **choice of law provisions, requirements for arbitration, and other provisions**
9 **which require Legislative Council approval; and**

10 **WHEREAS, the Health and Human Services Committee reviewed the TONHC Agreements**
11 **and IGAs and recommends approval.**

12 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council approves**
13 **the TONHC Agreements and IGAs substantially in the forms attached, and**
14 **authorizes the Chairperson of the Nation to enter into and sign the Agreements**
15 **and IGAs.**

16 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 14TH**
17 **day of FEBRUARY, 2018 at a meeting at which a quorum was present with a vote of 2,858.7 FOR;**
18 **~~0~~ AGAINST; ~~0~~ NOT VOTING; and 225.9 [03] ABSENT, pursuant to the powers vested in the**
19 **Council by Article VI, Section 1(f) of the Constitution of the Tohono O'odham Nation, adopted**
20 **by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy**
21 **Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the**
22 **Act of June 18, 1934 (48 Stat.984).**

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24 **TOHONO O'ODHAM LEGISLATIVE COUNCIL**

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28 **Timothy Joaquin, Legislative Chairman**
29
30 14 day of February, 2018

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33 **ATTEST:**

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36 **Evonne Wilson, Legislative Secretary**

37 14 day of February, 2018
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40 **Said Resolution was submitted for approval to the office of the Chairman of the Tohono**
41 **O'odham Nation on the 14 day of February, 2018 at 4:55 o'clock, P.m.,**
42 **pursuant to the provisions of Section 5 of Article VII of the Constitution and will become**
43 **effective upon his approval or upon his failure to either approve or disapprove it within 48**
44 **hours of submittal.**
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TOHONO O'ODHAM LEGISLATIVE COUNCIL




Timothy Joaquin, Legislative Chairman

APPROVED

on the 14 day of February, 2018

DISAPPROVED

at 5:00 o'clock, P.m.



EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 15 day of

February, 2018, at 8:58 o'clock, a.m.



Evonne Wilson, Legislative Secretary

ACTION: APPROVING TOHONO O'ODHAM NATION HEALTH CARE AGREEMENTS AND INTERGOVERNMENTAL AGREEMENTS

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILWOMAN ADRIANNE TILLER

DATE: FEBRUARY 14, 2018

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF OIDAK 235.8	1. MARY LOPEZ ()	117.9	X			
	2. LUCINDA ALLEN (Yolonda Garcia)	117.9	X			
SELLS 527.2	1. ARTHUR WILSON ()	263.6	X			
	2. ADRIANNE TILLER (Idaleen Reyes)	263.6	X			
SCHUK TOAK 185.7	1. ANTHONY J. FRANCISCO JR. (<i>Absent</i>) (Teresa F. Donahue) (<i>Present</i>)	92.85	X			
	2. QUINTIN C. LOPEZ (<i>Absent</i>) (Agnes V. Joaquin) (<i>Present</i>)	92.85	X			
SAN XAVIER 232.3	1. DANIEL L.A. PRESTON III (Felicia Nunez)	116.15	X			
	2. JANICE FELIX ()	116.15	X			
SAN LUCY 231.1	1. JANA MONTANA (Diana Manuel)	115.55	X			
	2. GLORIA RAMIREZ (Lorraine Eiler)	115.55	X			
PISINEMO 225.9	1. CHESTER ANTONE (Caroline D. Garcia)	112.95				X
	2. MONICA K. MORGAN ()	112.95				X
HICKIWAN 209.0	1. LOUIS R. LOPEZ (<i>Absent</i>) (Shirley Molina) (<i>Present</i>)	104.5	X			
	2. SANDRA D. ORTEGA ()	104.5	X			
GU VO 256.9	1. GRACE MANUEL ()	128.45	X			
	2. DALLAS LEWIS (Nacho Flores)	128.45	X			X
GU ACHI 270.9	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	135.45	X			
	2. LORETTA LEWIS (Victoria Hobbs)	135.45	X			
CHUKUT KUK 337.7	1. BILLMAN LOPEZ (Patricia Vicenti)	168.85	X			
	2. VIVIAN JUAN-SAUNDERS (<i>Absent</i>) (Juanita Homer) (<i>Present</i>)	168.85	X			
BABOQUIVARI 372.1	1. FRANCES MIGUEL (Roberta E. Harvey)	186.05	X			
	2. LEANDER MASE ()	186.05	X			
TOTAL		3,084.6	2,858.7	-0-	-0-	225.9 [03]