

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Requesting Support from the National Indian Health Board for Reimbursements**  
**to the Sells Service Unit for Services Provided to Non-Indians)**

**RESOLUTION NO. 12-295**

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

7 **WHEREAS, the Tohono O'odham Nation shares over seventy-five miles of international border**  
8 **with Mexico in a sparsely populated area subject to extreme desert conditions; and**

9 **WHEREAS, the Indian Health Service operates the Sells Service Unit, which provides medical care**  
10 **and services to federally recognized American Indians/Alaska Natives ("AI/AN") and**  
11 **specifically to the Nation's members; and**

12 **WHEREAS, funding for the Indian Health Service, which is subject to Congressional**  
13 **appropriations, has been historically inadequate and insufficient to address the**  
14 **health care needs of the Nation's members or Indian Country as a whole; and**

15 **WHEREAS, the Sells Service Unit is an accredited facility of the Joint Commission on Accreditation**  
16 **of Hospitals Organization ("JCAHO"), and thereby required to adhere to the Emergency**  
17 **Treatment and Active Labor Act ("EMTALA"); and**

18 **WHEREAS, the Nation has expressed the need for reimbursement of costs associated with**  
19 **providing emergency health care services to non-American Indian/Alaska Natives at**  
20 **the Sells Service Unit (Resolution No. 2000-539, Resolution No. 01-180, Resolution No.**  
21 **01-207, Resolution No. 02-150, all available at <http://www.tolc-nsn.org>); and**

22 **WHEREAS, the National Indian Health Board, a non-profit organization which provides a variety**  
23 **of health advocacy services to tribes, area health boards, and tribal organizations,**  
24 **would be a strong partner in the Nation's continued effort to seek reimbursements of**  
25 **costs associated with providing emergency health care services to non-American**  
26 **Indian/Alaska Natives at the Sells Service Unit; and**

27 **WHEREAS, the Health and Human Services Committee recommends requesting support from the**  
28 **National Indian Health Board.**

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RESOLUTION NO. 12-295


(Requesting Support from the National Indian Health Board for Reimbursements to the Sells Service Unit for Services Provided to Non-Indians)

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1 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it requests  
2 support from the National Indian Health Board in the Nation's continued effort to seek  
3 reimbursements of costs associated with providing emergency health care services  
4 to non-American Indian/Alaska Natives at the Sells Service Unit.

5 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 12<sup>TH</sup> Day  
6 of [JULY, 2012] at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0- AGAINST;  
7 -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by Section 1 (f) of  
8 Article VI of the Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham  
9 Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs  
10 (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

11  
12 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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16 Timothy Joaquin, Legislative Chairman  
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18 17 day of July, 2012

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20 ATTEST:

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22 \_\_\_\_\_  
23 Evonne Wilson, Legislative Secretary

24 14 day of July, 2012

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27 Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham  
28 Nation on the 17 day of July, 2012 at 2:52 o'clock, 8 .M.,  
29 pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective  
30 upon his approval or upon his failure to either approve or disapprove it within 48 hours of  
31 submittal.

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33 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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36 \_\_\_\_\_  
37 Timothy Joaquin, Legislative Chairman

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42  APPROVED

on the 17 day of July, 2012

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44  DISAPPROVED

at 4:09 o'clock, 8 .M.

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48 NED NORRIS, JR., CHAIRMAN  
49 TOHONO O'ODHAM NATION  
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**RESOLUTION NO. 12-295**

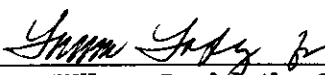
**(Requesting Support from the National Indian Health Board for Reimbursements to the Sells Service Unit for Services Provided to Non-Indians)**

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Returned to the Legislative Secretary on the 17 day of

July, 2012, at 4:45 o'clock, P.M.

  
\_\_\_\_\_  
Evonne Wilson, Legislative Secretary

**ACTION: REQUESTING SUPPORT FROM THE NATIONAL INDIAN HEALTH BOARD FOR REIMBURSEMENTS TO THE SELLS SERVICE UNIT FOR SERVICES PROVIDED TO NON-INDIANS**

**MOVED: COUNCILWOMAN SANDRA ORTEGA**

**SECOND: COUNCILMAN ARTHUR WILSON**

**DATE: JULY 12, 2012**

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> <b>342.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
<b>CHUKUT KUK</b> <b>302.2</b>	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> <b>244.9</b>	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL <i>(Absent)</i> (Louis L. Johnson) <i>(Present)</i>	122.45	X			
<b>GU VO</b> <b>226.7</b>	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ( )	113.35	X			X
<b>HICKIWAN</b> <b>186.3</b>	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ( )	93.15	X			
<b>PISINEMO</b> <b>200.7</b>	1. CHESTER ANTONE (Tony Murrietta)	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
<b>SAN LUCY</b> <b>204.6</b>	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
<b>SAN XAVIER</b> <b>215.8</b>	1. HILARION CAMPUS <i>(Absent)</i> (Racheal Vilson-Stoner) <i>(Present)</i>	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
<b>SCHUK TOAK</b> <b>169.8</b>	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
<b>SELLS</b> <b>475.7</b>	1. ARTHUR WILSON (Kimberly Mull)	237.85	X			
	2. EVELYN B. JUAN MANUEL ( )	237.85	X			
<b>SIF OIDAK</b> <b>211.9</b>	1. NICHOLAS JOSE ( )	105.95	X			
	2. MARY LOPEZ ( )	105.95	X			X
<b>TOTAL</b>		<b>2,780.60</b>	<b>2,780.60</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>