

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving Superseding Affiliation Agreement with TMC)

RES. NO. 259-87

- 1 WHEREAS, the Tohono O'Odham Nation is currently providing or is empowered to  
2 provide medical, health and health related services to its members, to  
3 other Indian people and to the general public within its jurisdiction;  
4 and
- 5 WHEREAS, the Nation, for itself, its members and Indians generally, is entitled  
6 to receive medical, health and health related services provided for by  
7 Congress through the Secretary of Health and Human Services  
8 ("Secretary") under the Transfer Act of August 5, 1954 (68 Stat. 674),  
9 as amended, 42 U.S.C. 2001 et. seq., and is empowered pursuant to the  
10 contracting mechanism made available under section 103 of the Indian  
11 Self-Determination Act, P. L. 93-638, 25 U.S.C 450g, to participate in  
12 and assume the Secretary's functions, authorities and responsibilities  
13 under the Transfer Act; and
- 14
- 15 WHEREAS, this Council has set a goal, acting through the agency of the Tohono  
16 O'Odham Health Department ("Department"), to maximize the Nation's  
17 participation in the planning, direction, operation, maintenance and  
18 construction of medical, health and health related services, programs  
19 and facilities serving the Nation, and, by the adoption of a  
20 multidisciplinary approach, to integrate the best aspects, disciplines  
21 and systems of both modern and traditional medicine and health care  
22 into the services, programs and facilities serving the Nation; and
- 23
- 24 WHEREAS, in order to reach its goal the Nation will be best served by a direct  
25 affiliation with a major facility having a fully developed  
26 multidisciplinary approach to medical and health care delivery, and  
27 has selected TMC from among a number of facilities which have proposed  
28 such an affiliation because TMC is best qualified by experience,  
29 personnel, facilities, systems and location to provide the Nation with  
30 the needed services; and
- 31
- 32 WHEREAS, TMC is an Arizona nonprofit corporation which owns, maintains and

1 operates a major tertiary medical care inpatient, outpatient and  
2 emergency facility in Tucson, Arizona, and has available to it  
3 administrative, fiscal, support, human resource and patient services  
4 systems and resources upon which it can draw to provide the Nation  
5 with services useful to the achievement of the Nation's medical and  
6 health care goal; and

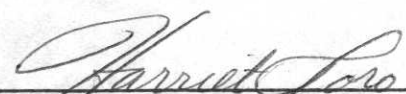
7 WHEREAS, the Department has presented to this Council the form of an  
8 Affiliation Agreement between the Nation and TMC for the provision of  
9 Services to the Nation as therein provided, which was approved by  
10 counsel for the Nation and which the Legislative Secretary was directed  
11 to annex to this Resolution.  
12

13 NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that  
14 it does hereby approve the annexed form of the Affiliation Agreement  
15 between the Tohono O'odham Nation and the Tucson Medical Center and  
16 does hereby authorize and direct the Chairman of the Nation to execute  
17 the agreement on behalf of the Nation.  
18

19 BE IT FURTHER RESOLVED that upon execution of the foregoing Affiliation  
20 Agreement it shall supersede an agreement between the Nation and TMC  
21 endorsed and recommended for approval by this Council on April 30,  
22 1987, by Resolution No. 158-87.

23 The foregoing resolution was passed by the Tohono O'odham Council on the 3rd.  
24 day of August, 1987, at a meeting at which a quorum was present with a vote of  
25 1402.0 for; 63.0 against; 175.0 not voting; and 01 absent, pursuant to the  
26 powers vested in the Council by Section 1 (c)(2) & (f) of Article VI of the  
27 Constitution of the Tohono O'odham Nation, adopted by the Tohono O'odham Nation  
28 on January 18, 1986, and approved by the Acting Deputy Assistant Secretary -  
29 Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act  
30 of June 18, 1934 (48 Stat. 984).  
31

32 TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Harriet Toro, Legislative Chairperson  
6 day of August, 1987.

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ATTEST:

Teresa M. Choyguha  
Teresa M. Choyguha, Legislative Secretary

6<sup>th</sup> day of August, 1987.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 6<sup>th</sup> day of August, 1987, at 10:56 o'clock, A.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL

Harriet Toro  
Harriet Toro, Legislative Chairperson

[  ] APPROVED ) on the 10<sup>th</sup> day of August, 1987, at  
[  ] DISAPPROVED ) 10:20 o'clock, A.M.

Enos J. Francisco, Jr.  
ENOS J. FRANCISCO, JR., Chairman  
TOHONO O'ODHAM NATION

Returned to Legislative Secretary on the 17<sup>th</sup> day of August, 1987,  
at 2:25 o'clock, P.M.

Teresa M. Choyguha  
Teresa M. Choyguha  
Legislative Secretary

MOVED: JULIA CARRILLO

SUBJECT: APPROVING SUPERSEDING AFFILIATION

SECOND: LLOYD FRANCISCO

AGREEMENT WITH TMC

DATE: AUGUST 3, 1987

RESOLUTION OR ORDINANCE # 259-87

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
SIF Oidak 138.0	1. Nicholas Jose (Letitia Garcia) 2. Willard Juan, Sr. (Melissa Gregorio)	69.0 69.0	X X			X
SELLS 257.0	1. Andrew Patricio (Daniel Lopez) 2. Fred Stevens ( )	128.5 128.5	X X			
SCHUK TOAK 105.0	1. Julia Carrillo (JoAnn Francisco) 2. Joseph Juan (Frances Francisco)	52.5 52.5	X X			
SAN XAVIER 126.0	1. Eugene Enis (Michael Rios) 2. Tony Felix (Carmelita Mattias)	63.0 63.0	X	X		
BABOQUIVARI 241.0	1. Kenneth Chico, Sr. ( ) 2. Joann Garcia (Frances Miguel)	120.5 120.5	X X			
GU ACHI 158.0	1. Percy Lopez ( ) 2. Fernando Joaquin ( )	79.0 79.0	X X			
PISINEMO 116.0	1. Johnson Jose ( ) 2. Edward Manuel (Alex Antone)	58.0 58.0	X		X	
SAN LUCY 85.0	1. Max Jose (Dewey Ortega) 2. John Reno ( )	42.5 42.5	X X			
GU VO 117.0	1. Virgil Lewis (Roy Montana) 2. Cross Antone (Juan Joe Cipriano)	58.5 58.5			X X	
HICKIWAN 128.0	1. Henry Ramon (Billy Manuel) 2. Lloyd Francisco (Eleanor Santos)	64.0 64.0	X X			
CHUKUT KUK 169.0	1. Rosita Ruiz (Rosemary Lopez) 2. Harriet Toro (Marvin Thomas)	84.5 84.5	X X			
TOTALS		1640.0	1402.0	63.0	175.0	01