TITLE: An Action Relating to an Emergency: Requesting the Governor of New Mexico to activate the Naat’aanii Development Corporation – Molina Healthcare, Inc. Indian Managed Care Entity to increase the medical resources available to Navajo people during the COVID-19 State of Emergency

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LEGISLATIVE SUMMARY SHEET
Tracking No. 0069-20

DATE: March 20, 2020

TITLE OF RESOLUTION: PROPOSED NAVAJO NATION COUNCIL RESOLUTION; AN ACTION RELATING TO AN EMERGENCY; REQUESTING THE GOVERNOR OF NEW MEXICO TO ACTIVATE THE NAAT’AANII DEVELOPMENT CORPORATION – MOLINA HEALTHCARE, INC. INDIAN MANAGED CARE ENTITY TO INCREASE THE MEDICAL RESOURCES AVAILABLE TO NAVAJO PEOPLE DURING THE COVID-19 STATE OF EMERGENCY

PURPOSE: The purpose of this legislation is to urges the Governor of the State of New Mexico and the New Mexico Human Services Department to collaborate with the Naat’aanii Development Corporation to expeditiously secure all necessary regulatory approvals, contracts and infrastructure for launching the Naat’aanii Development Corporation – Molina Healthcare, Inc. Indian Managed Care Entity and have it fully operational in New Mexico in the first quarter of 2020 and in Arizona and Utah thereafter, and other purposes.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.
PROPOSED NAVAJO NATION COUNCIL RESOLUTION
24th NAVAJO NATION COUNCIL – Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0069-20

AN ACTION

RELATING TO AN EMERGENCY; REQUESTING THE GOVERNOR OF NEW MEXICO TO ACTIVATE THE NAAT’AANII DEVELOPMENT CORPORATION – MOLINA HEALTHCARE, INC. INDIAN MANAGED CARE ENTITY TO INCREASE THE MEDICAL RESOURCES AVAILABLE TO NAVAJO PEOPLE DURING THE COVID-19 STATE OF EMERGENCY

WHEREAS:

A. The Navajo Nation Council is the governing body of the Navajo Nation. 2 N.N.C. § 102 (A).

B. The Naabik’iyáti’ Committee is a Standing Committee of the Navajo Nation Council empowered to assist development of federal and state programs designed to serve the Navajo People and the Navajo Nation through intergovernmental relationships; and to coordinate all federal, county and state programs with other branches of the Navajo Nation government to provide the most efficient delivery of services. 2 N.N.C. §§ 701 (4) and (7).

C. Pursuant to 2 N.N.C. §164 (A)(16) “[m]atters constituting an emergency shall be limited to the cessation of law enforcement services, and disaster relief services, fire protection services or other direct services required as an entitlement under Navajo
Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation.
Such an emergency matter must arise due to the pressing public need for such
resolution(s) and must be a matter requiring final action by the Council.”

D. On March 11, 2020 the President of the Navajo Nation declared a public health State
of Emergency, attached as Exhibit A, for the entire Navajo Nation due to the outbreak
of the COVID-19 Coronavirus.

E. In this time of national crisis and legitimate fears and concerns about the spread of the
COVID-19, it is imperative that Navajo Nation take advantage of all available
resources to combat this pandemic and provide healthcare services to Navajo members
and their communities.

F. On January 23, 2020, the Naabik’íyáti’ Committee adopted Resolution NABIJA-06-20,
attached as Exhibit B without exhibits, which resolved that:

1. The Navajo Nation hereby urges the Governor of the State of New Mexico and
the New Mexico Human Services Department to collaborate with the Naat’aanii
Development Corporation to expeditiously secure all necessary regulatory
approvals, contracts and infrastructure for launching the Naat’aanii
Development Corporation – Molina Healthcare, Inc. Indian Managed Care
Entity and have it fully operational in New Mexico in the first quarter of 2020
and in Arizona and Utah thereafter; and

2. The Navajo Nation hereby also urges the Governor of the State of New Mexico
and the New Mexico Human Services Department to implement passive
enrollment mechanisms that will ensure enrollment of the majority of the
81,000 American Indians and Alaska Natives residing within the Navajo Nation
into the Naat’aanii Development Corporation – Molina Healthcare, Inc.
managed care program; and

3. The Navajo Nation hereby further urges the Governor of the State of New
Mexico and the New Mexico Human Services Department to take those steps
necessary to ensure that healthcare decisions can be made collectively by a
family unit and that non-American Indian and non-Alaska Natives family
members of an eligible individual be allowed to enroll in the Naat'aanii Development Corporation – Molina Healthcare, Inc. managed care program.

G. Once the newly created Naat’aanii Development Corporation -- Molina Healthcare, Inc. managed care program (Navajo MCO), the Navajo MCO members will have access to free testing and diagnostics for COVID-19; the Navajo MCO will also provide doctor and hospital visits with all necessary prescriptions, x-rays and laboratory services for members that require treatment against the virus.

H. In this time of crisis, it is important that the Navajo Nation move quickly to implement the Navajo MCO so they can aid Navajo people during this pandemic crisis.

RESOLVED:

As the governing body of the Navajo Nation, the Navajo Nation Council hereby approves and resolves that:

A. The Navajo Nation hereby urges the Governor of the State of New Mexico and the New Mexico Human Services Department to collaborate with the Naat’aanii Development Corporation to expeditiously secure all necessary regulatory approvals, contracts and infrastructure for launching the Naat’aanii Development Corporation – Molina Healthcare, Inc. Indian Managed Care Entity and have it fully operational in New Mexico in the first quarter of 2020 and in Arizona and Utah thereafter; and

B. The Navajo Nation hereby also urges the Governor of the State of New Mexico and the New Mexico Human Services Department to implement passive enrollment mechanisms that will ensure enrollment of the majority of the 81,000 American Indians and Alaska Natives residing within the Navajo Nation into the Naat’aanii Development Corporation – Molina Healthcare, Inc. managed care program; and

C. The Navajo Nation hereby further urges the Governor of the State of New Mexico and the New Mexico Human Services Department to take those steps necessary to ensure that healthcare decisions can be made collectively by a family unit and that non-American Indian and non-Alaska Natives family members of an eligible individual be allowed to enroll in the Naat’aanii Development Corporation – Molina Healthcare, Inc. managed care program.