

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0069-20_____

SPONSOR: Daniel Tso

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

Date posted: March 20, 2020 at 4:10pm

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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

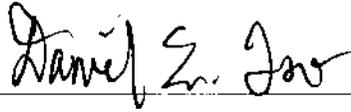
PURPOSE: The purpose of this legislation is to urges the Governor of the State of New Mexico and the New Mexico Human Services Department to collaborate with the Naat'aanii Development Corporation to expeditiously secure all necessary regulatory approvals, contracts and infrastructure for launching the 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 of 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

1 Nation or Federal law, or which directly threaten the sovereignty of the Navajo Nation.
2 Such an emergency matter must arise due to the pressing public need for such
3 resolution(s) and must be a matter requiring final action by the Council.”

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

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

11 F. On January 23, 2020, the Naabik'iyáti' Committee adopted Resolution NABIJA-06-20,
12 attached as **Exhibit B** without exhibits, which resolved that:

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

20 2. The Navajo Nation hereby also urges the Governor of the State of New Mexico
21 and the New Mexico Human Services Department to implement passive
22 enrollment mechanisms that will ensure enrollment of the majority of the
23 81,000 American Indians and Alaska Natives residing within the Navajo Nation
24 into the Naat'aanii Development Corporation – Molina Healthcare, Inc.
25 managed care program; and

26 3. The Navajo Nation hereby further urges the Governor of the State of New
27 Mexico and the New Mexico Human Services Department to take those steps
28 necessary to ensure that healthcare decisions can be made collectively by a
29 family unit and that non-American Indian and non-Alaska Natives family
30

1 members of an eligible individual be allowed to enroll in the Naat'aanii
2 Development Corporation – Molina Healthcare, Inc. managed care program.

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

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

10
11 **RESOLVED:**

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

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

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

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