

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0157-19_____

SPONSOR: Charlaine Tso

TITLE: An Action Relating To Health, Education And Human Services; Recommending for Approval Of The Naabik'iyáti' Committee The Designation Of The Utah Navajo Health System, Inc. As A Navajo Nation "Tribal Organization" For A Period Of Ten (10) Years, For The Purposes Of Contracting With The United States Indian Health Service And Authorizing It To Negotiate And Enter Into Title I, Indian Self-Determination Act (P.L. 93-638M As Amended), Such Designation Of "Tribal Organization" Being Revocable And Contingent On Compliance With All Terms And Conditions As Required

Date posted: June 19, 2019 at 5:00pm

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0157-19

DATE: June 13, 2019

SUBJECT: AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES; RECOMMENDING FOR APPROVAL OF THE NAABIK'IYATI' COMMITTEE THE DESIGNATION OF THE UTAH NAVAJO HEALTH SYSTEM, INC. AS A NAVAJO NATION "TRIBAL ORGANIZATION" FOR A PERIOD OF TEN (10) YEARS, FOR THE PURPOSES OF CONTRACTING WITH THE UNITED STATES INDIAN HEALTH SERVICE AND AUTHORIZING IT TO NEGOTIATE AND ENTER INTO TITLE I, INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTS AND TITLE V SELF GOVERNANCE COMPACTS PURSUANT TO THE INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED), SUCH DESIGNATION OF "TRIBAL ORGANIZATION" BEING REVOCABLE AND CONTINGENT ON COMPLIANCE WITH ALL TERMS AND CONDITIONS AS REQUIRED

PURPOSE: The purpose of this legislation for HEHSC to recommend reauthorization of Utah Navajo Health System as a tribal organization for the purposes of contracting and negotiating with the Indian Health Service for a period of ten years pursuant to the Indian Self-Determination Act (P.L. 93-638).

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 review the proposed resolution in detail.

5-DAY BILL HOLD PERIOD: None
Website Posting Time/Date: _____
Posting End Date: 6/24/19
Eligible for Action: 6/25/19

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL -- First Year, 2019

3 INTRODUCED BY

4 
5

6 (Prime Sponsor)

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8 TRACKING NO. 0157-19

9
10 AN ACTION

11 RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES;
12 RECOMMENDING FOR APPROVAL OF THE NAABIK'IYATI' COMMITTEE THE
13 DESIGNATION OF THE UTAH NAVAJO HEALTH SYSTEM, INC. AS A NAVAJO
14 NATION "TRIBAL ORGANIZATION" FOR A PERIOD OF TEN (10) YEARS, FOR THE
15 PURPOSES OF CONTRACTING WITH THE UNITED STATES INDIAN HEALTH
16 SERVICE AND AUTHORIZING IT TO NEGOTIATE AND ENTER INTO TITLE I,
17 INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTS
18 AND TITLE V SELF GOVERNANCE COMPACTS PURSUANT TO THE INDIAN
19 SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED), SUCH DESIGNATION
20 OF "TRIBAL ORGANIZATION" BEING REVOCABLE AND CONTINGENT ON
21 COMPLIANCE WITH ALL TERMS AND CONDITIONS AS REQUIRED

22
23 **BE IT ENACTED:**

24
25 **SECTION ONE. AUTHORITY**

26 A. The Health, Education and Human Services Committee exercises oversight
27 responsibility over all matters related to health on the Navajo Nation. 2 N.N.C. §400
28 (C)(1)

29 B. The Health, Education and Human Services Committee exercises authority to review
30 and recommend the authorization and designation of a for-profit or non-profit health
or social services organization as a tribal organization for the purposes of contracting

1 or compacting under the Indian Self-Determination and Education Assistance Act. 2
2 N.N.C. § 401 (6)(e)

3 C. Navajo Nation Council Resolution CJY-33-10 authorized the former
4 Intergovernmental Relations Committee of the Navajo Nation Council to act as final
5 approval authority, only upon a recommendation for approval by the former Health
6 and Social Services Committee and each of the Navajo Nation Chapters to be served,
7 for all additional designations of “tribal organizations.” CJY-33-10.

8 D. Upon reorganization of the Navajo Nation Council and the Standing Committees, the
9 Naabik’iyati Committee assumed, unless otherwise specified, all the responsibilities
10 of the former Navajo Nation Council’s Intergovernmental Relations Committee and
11 the Health and Social Services Committee was renamed the Health, Education and
12 Human Services Committee. CAP-10-11.

13 E. The Naabik’iyati’ Committee of the Navajo Nation Council, conditional upon a
14 recommendation for approval by the Health, Education and Human Services
15 Committee and the approval of each of the Navajo Nation Chapters to be served, is to
16 act as the final authority for approving the revocable designation of “tribal
17 organization” for purposes of contracting under the Indian Self-Determination Act
18 (P.L. 93-638, as amended).

19
20 **SECTION TWO. FINDINGS**

21 A. Resolution CJY-33-10 authorized the Utah Navajo Health System Inc. (“UNHS”) as a
22 Navajo Nation “tribal organization” for the purpose of entering into Title V, Self-
23 Governance Compacts pursuant to the Indian Self-Determination Act, (P.L. 93-638,
24 as amended). CJY-33-10.

25 B. The UNHS has requested to be designated a “tribal organization” for the purposes of
26 contracting with the United States Indian Health Service and to negotiate and enter
27 into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and
28 Title V Self Governance Compacts pursuant to the Indian Self-Determination Act
29 (P.L. 93-638, as amended). **Exhibit A.**

30 C. The UNHS serves the Navajo Nation Chapters of NaaTsis’Aan, Teec Nos Pos, Blue
Mountain Diné Community Chapter, Aneth, Red Mesa, and Oljato.

- 1 D. The UNHS proposal for designation of “tribal organization” has been endorsed by
2 separate resolutions adopted by all the named respective chapters. The chapter
3 resolutions can be found in **Exhibit A, Tab 4**.
- 4 E. The Health, Education and Human Services Committee of the Navajo Nation Council
5 finds it to be in the best interest of the Navajo Nation to approve and recommend to
6 the Naabik’iyati’ Committee that UNHS be given the revocable designation of “tribal
7 organization” for a period of ten (10) years, beginning October 1, 2020 and ending
8 September 30, 2030, for the purposes of contracting with the United States Indian
9 Health Service and to negotiate and enter into Title I, Indian Self-Determination Act
10 (P.L. 93-638, as amended) contracts and Title V Self Governance Compacts pursuant
11 to the Indian Self-Determination Act (P.L. 93-638, as amended), subject to the Terms
12 and Conditions as found attached at **Exhibit B**.

13
14 **Section Three. Approval**

- 15 A. The Health, Education and Human Services Committee of the Navajo Nation
16 Council hereby approves and recommends to the Naabik’iyati’ Committee that
17 the Utah Navajo Health System, Inc. be given the revocable designation of “tribal
18 organization” for a period of ten (10) years, beginning October 1, 2020 and
19 ending September 30, 2030, for the purposes of contracting with the United States
20 Indian Health Service and to negotiate and enter into Title I, Indian Self-
21 Determination Act (P.L. 93-638, as amended) contracts and Title V Self
22 Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-
23 638, as amended), subject to the Terms and Conditions as found attached at
24 **Exhibit B**.
- 25 B. The recommendation of the Health, Education and Human Services Committee is
26 contingent on there being no changes to the Terms and Conditions as found at
27 **Exhibit B** without the approval of the Health, Education and Human Services
28 Committee.
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