

THE NAVAJO NATION  
LEGISLATIVE BRANCH  
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: \_0228-20\_\_

SPONSOR: Pernell Halona

**TITLE: An Action Relating To Health, Education And Human Services, Budget And Finance And Naabik'iyáti' Committees; Approving The Reauthorization Of The 2005 Tribal Designation For The Navajo Health Foundation - Sage Memorial Hospital, Inc., As A Tribal Organization For Purposes Of Contracting Under Public Law 93-638 For A Period Of Twenty Years, Beginning October 1, 2020 And Ending September 30, 2040**

***Date posted:*** September 16, 2020 at 6:02PM

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## LEGISLATIVE SUMMARY SHEET

Tracking No. 0228-20

**DATE:** September 16, 2020

**TITLE OF RESOLUTION:** AN ACTION RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE AND NAABIK'ÍYÁTI'; APPROVING REAUTHORIZATION FOR NAVAJO HEALTH FOUNDATION – SAGE MEMORIAL HOSPITAL AS TRIBAL ORGANIZATION FOR PURPOSES OF CONTRACTING UNDER PUBLIC LAW 93-638 FOR A PERIOD OF TWENTY YEARS, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 1, 2020

**PURPOSE:** This resolution, if adopted, would approve approve reauthorization for Navajo Health Foundation – Sage Memorial Hospital as Tribal Organization for purposes of contracting under Public Law 93-638 for a period of twenty years, beginning October 1, 2020 and ending September 1, 2020.

**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.**

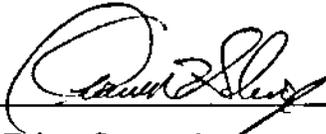
5-DAY BILL HOLD PERIOD: J. Johnson  
Website Posting Time/Date: \_\_\_\_\_  
Posting End Date: 09-21-20  
Eligible for Action: 09-22-20

Health Education & Human Services Committee  
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Budget & Finance Committee  
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Naabik'iyáti' Committee

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PROPOSED STANDING COMMITTEE RESOLUTION  
24<sup>th</sup> NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY

  
\_\_\_\_\_  
(Prime Sponsor)

TRACKING NO. 0228-20

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES, BUDGET AND FINANCE AND NAABIK'ÍYÁTI' COMMITTEES; APPROVING THE REAUTHORIZATION OF THE 2005 TRIBAL DESIGNATION FOR THE NAVAJO HEALTH FOUNDATION - SAGE MEMORIAL HOSPITAL, INC., AS A TRIBAL ORGANIZATION FOR PURPOSES OF CONTRACTING UNDER PUBLIC LAW 93-638 FOR A PERIOD OF TWENTY YEARS, BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2040

BE IT ENACTED:

**SECTION ONE. AUTHORITY**

A. The Health, Education and Human Services Committee (HEHSC) is a standing committee of the Navajo Nation Council. 2 N.N.C. §400(A). Among its duties and responsibilities, the committee has authority to review and recommend "the authorization and designation of a for-profit or non-profit health or social services organization as a tribal organization for the purpose of contracting or compacting under the Indian Self-Determination and Education Assistance Act [P.L. 93-638]." 2 N.N.C. § 401(B)(6)(e).

1 B. The Budget and Finance Committee is a standing committee of the Navajo Nation  
2 Council. It has the authority to "authorize, review, approve and accept agreements, including  
3 contracts and grants, between the Navajo Nation and any federal, state or regional authority  
4 upon the recommendation of the standing committee which has oversight of the division,  
5 department or program which has applied for the agreement, or upon recommendation of the  
6 Chapter." 2 N.N.C. § 301(B)(15).

7 C. The Naabik'iyáti' Committee is a standing committee of the Navajo Nation Council. It  
8 has the authority to "authorize, review, approve and accept any and all contracts, grants and  
9 associated budgets with the United States, its departments and agencies for the  
10 implementation of the Indian Self-Determination and Education Assistance Act, as amended  
11 upon the recommendation of the standing committee which has oversight of the division,  
12 department or program applying for the contract and/or grant." 2 N.N.C. §701(A)(12).

13 D. The Navajo Nation has a government-to-government relationship with the federal  
14 government.

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16 **SECTION TWO. FINDINGS**

17 A. On June 3, 2005, the Navajo Health Foundation - Sage Memorial Hospital, Inc., located  
18 in Ganado, Arizona (Navajo Nation) was authorized by the Navajo Nation Council as a tribal  
19 organization for purposes of "managing and operating contracts with the Indian Health  
20 Service under Public Law 93-638 for a fifteen-year period beginning October 1, 2005 and  
21 ending September 30, 2020, for all programs, functions, services and activities ... which ...  
22 tribal organizations currently contract[] under Public Law 93-638." CJN-35-05. The Navajo  
23 Nation Council authorized, by delegation, the Intergovernmental Relations Committee, now  
24 the Naabik'iyáti' Committee, to permit the "expansion" of the authority in "managing and  
25 operating contracts" upon recommendation of the oversight authority [now the Health,  
26 Education and Human Services Committee]. Section 3, *Id.*

27 B. The Navajo Health Foundation - Sage Memorial Hospital, Inc. has submitted to the  
28 Navajo Nation the attached "Proposal for the Reauthorization to Obtain Navajo Nation Tribal  
29 Designation for the Purposes of Contracting Under the Indian Self-Determination and  
30 Education Assistance Act, P.L. 93-638." The proposal is dated September 1, 2020 and is

1 attached as **Exhibit A**. Generally, it states as its mission, providing “quality healthcare in a  
2 fiscally responsible manner, focusing on the patient’s health, social and spiritual well-being.”  
3 **Exhibit A** (containing credentials and qualifications).

4 C. The Ganado, Kindahlichii, Wide Ruins Community and Steamboat chapters support the  
5 request of Navajo Health Foundation – Sage Memorial Hospital, Inc., for reauthorization.  
6 See resolutions GAN-229-2020, KDLC 07-039-2020 and WDR-08-023-20 attached  
7 respectively within Exhibit A (Steamboat Chapter resolution is marked as and dated August  
8 17, 2020).

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10 **SECTION THREE. APPROVING REAUTHORIZATION**

11 A. The Navajo Nation hereby approves and reauthorizes the Navajo Health Foundation –  
12 Sage Memorial Hospital, Inc., as a tribal organization for purposes of contracting under the  
13 Indian Self Determination Act, Public Law 93-638 for a twenty-year period beginning  
14 October 1, 2020 and ending September 30, 2040. All pertinent documents relative to this  
15 action of the Navajo Nation are included herewith and marked as Exhibit "A."

16 B. The reauthorization granted here shall be deemed revocable and shall be limited to Title  
17 1, Public Law 93-638 contracting. Further, terms and conditions originally set forth in CJY-  
18 35-05, including amendments thereto, shall continue to apply.