

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION



LEGISLATION NO: _0164-21_

SPONSOR: Edison J. Wauneka

TITLE: An Action Relating to the Naabik'íyáti' Committee; Accepting the Recommendation of the Health, Education and Human Services Committee and Granting the Designation of "Tribal Organization" to the Fort Defiance Indian Hospital Board, Inc. for a Period of Fifteen (15) Years, for the Purposes of Contracting with the United States Indian Health Service and Authorizing the Fort Defiance Indian Hospital Board, Inc. 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 Continuing Compliance with All Terms and Conditions as Approved by the Health, Education and Human Services Committee of the Navajo Nation Council

Date posted: August 11, 2021 at 10:37 PM

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LEGISLATIVE SUMMARY SHEET

Tracking No. 0164-21

DATE: August 10, 2021

TITLE OF RESOLUTION: RELATING TO NABIK' IYATI' COMMITTEE; ACCEPTING THE RECOMMENDATION OF THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND GRANTING THE DESIGNATION OF "TRIBAL ORGANIZATION" TO THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. FOR A PERIOD OF FIFTEEN (15) YEARS, FOR THE PURPOSES OF CONTRACTING WITH THE UNITED STATES INDIAN HEALTH SERVICE AND AUTHORIZING THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. 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 CONTINUING COMPLIANCE WITH ALL TERMS AND CONDITIONS AS APPROVED BY THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL

PURPOSE: An action related to the Naabik'iyati' Committee, accepting the recommendation of the Health, Education and Human Services Committee, granting designation of "tribal organization" to the Fort Defiance Indian Hospital Board, Inc. ("FDIHBI") for a period of fifteen (15) years, for the purposes of contracting with the United States Indian Health Service, and authorizing the FDIHBI 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 continuing compliance with all terms and conditions as approved by the Health, Education and Human Services Committee of the Navajo Nation Council.

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: Johnson
Website Posting Time/Date: _____
Posting End Date: 08/16/21
Eligible for Action: 08/17/21

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL – Third Year, 2021

3 INTRODUCED BY

4 
5
6 (Prime Sponsor)

7
8 TRACKING NO. 0164-21

9
10 AN ACTION

11 RELATING TO NABIK' IYATI' COMMITTEE; ACCEPTING THE
12 RECOMMENDATION OF THE HEALTH, EDUCATION AND HUMAN SERVICES
13 COMMITTEE AND GRANTING THE DESIGNATION OF “TRIBAL ORGANIZATION”
14 TO THE FORT DEFIANCE INDIAN HOSPITAL BOARD, INC. FOR A PERIOD OF
15 FIFTEEN (15) YEARS, FOR THE PURPOSES OF CONTRACTING WITH THE UNITED
16 STATES INDIAN HEALTH SERVICE AND AUTHORIZING THE FORT DEFIANCE
17 INDIAN HOSPITAL BOARD, INC. TO NEGOTIATE AND ENTER INTO TITLE I,
18 INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTS
19 AND TITLE V SELF GOVERNANCE COMPACTS PURSUANT TO THE INDIAN
20 SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED), SUCH DESIGNATION
21 OF “TRIBAL ORGANIZATION” BEING REVOCABLE AND CONTINGENT ON
22 CONTINUING COMPLIANCE WITH ALL TERMS AND CONDITIONS AS APPROVED
23 BY THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE
24 NAVAJO NATION COUNCIL

25
26 **BE IT ENACTED:**

27 **SECTION ONE. AUTHORITY**

28 A. Pursuant to Navajo Nation Council Resolution CJY-33-10 and the Navajo Nation
29 Code at 2 N.N.C. Section Five (5) “References to previous Standing Committees”
30 which states in part “References in the Navajo Nation Code....to Government

1 Services and Intergovernmental Relations Committees shall mean the
2 Naabik'iyáti' Committee..." the Naabik'iyáti' Committee of the Navajo Nation
3 Council exercises the authority to authorize and approve additional tribal
4 organizations that have received the recommendation and approval of the Health,
5 Education and Human Services Committee of the Navajo Nation Council.

6
7 **SECTION TWO. FINDINGS**

8 A. The Fort Defiance Indian Hospital Board, Inc. has requested to be designated a "tribal
9 organization" for a period of fifteen (15) years, beginning December 29, 2021, and
10 ending December 28, 2036, for the purposes of contracting with the United States
11 Indian Health Service and to negotiate and enter into Title I, Indian Self Determination
12 Act (P.L. 93-638, as amended) Contracts and Title V Self Governance Compacts
13 pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended). See **Exhibit**
14 **1-A**

15 B. The Health, Education and Human Services Committee of the Navajo Nation Council
16 through Resolution HEHSCAU-08-21, attached as **Exhibit 1**, has found it to be in the
17 best interest of the Navajo Nation to approve and recommend to the Naabik'iyati
18 Committee of the Navajo Nation Council that the Fort Defiance Indian Hospital Board,
19 Inc. be given the revocable designation of "tribal organization" for a period of fifteen
20 (15) years, beginning December 29, 2021 and ending December 28, 2036, for the
21 purposes of contracting with the United States Indian Health Service and to negotiate
22 and enter into Title I, Indian Self Determination Act (P.L. 93-638, as amended)
23 Contracts and Title V Self Governance Compacts pursuant to the Indian Self-
24 Determination Act (P.L. 93-638, as amended), subject to the Terms and Conditions as
25 found in **Exhibit 1-D**

26 C. The Fort Defiance Indian Hospital Board, Inc. serves sixteen (16) Navajo Nation
27 Chapters and has been endorsed by separate resolutions adopted by all the respective
28 Chapters, as found within **Exhibit 1-B**.

29 D. The Fort Defiance Indian Hospital Board, Inc. was previously approved by Health,
30 Education and Human Services Committee Resolution HEHSCD-26-18, attached as

1 **Exhibit 1-C**, as a “tribal organization” recommending to the Naabik’iyati’ Committee
2 as the final authority for approval.

- 3 E. The Naabik’iyati Committee of the Navajo Nation Council finds it to be in the best
4 interest of the Navajo Nation, upon approval and recommendation of the Health,
5 Education and Human Services Committee, to approve authorization of the Fort
6 Defiance Indian Hospital Board, Inc. the revocable designation of “tribal organization”
7 for a period of fifteen (15) years, beginning December 29, 2021 and ending December
8 28, 2036, for the purposes of contracting with the United States Indian Health Service
9 and to negotiate and enter into Title I, Indian Self Determination Act (P.L. 93-638, as
10 amended) Contracts and Title V Self Governance Compacts pursuant to the Indian Self-
11 Determination Act (P.L. 93-638, as amended) and subject to the continuing compliance
12 with the Terms and Conditions as approved and adopted by the Health, Education and
13 Human Services Committee as attached in **Exhibit 1-D**.

14
15 **SECTION THREE. APPROVAL**

16 The Naabik’iyati Committee of the Navajo Nation Council, upon approval and
17 recommendation of the Health, Education and Human Services Committee
18 (Committee), hereby approves giving the Fort Defiance Indian Hospital Board, Inc. the
19 revocable designation of “tribal organization” for a period of fifteen (15) years for the
20 purposes of contracting with the United States Indian Health Service and to negotiate
21 and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended)
22 contracts and Title V Self Governance Compacts pursuant to the Indian Self-
23 Determination Act (P.L. 93-638, as amended) and subject to the continuing compliance
24 with the Terms and Conditions as approved and adopted by the Health, Education and
25 Human Services Committee and herein attached as **Exhibit 1-D**.