

THE NAVAJO NATION
LEGISLATIVE BRANCH
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LEGISLATION NO: _0036-22_

SPONSOR: Nathaniel Brown

TITLE: An Act Relating to the Health, Education and Human Services, and Budget and Finance Committees; Accepting the Auditor General's Audit of the Department of Family Services ("DFS") and the DFS' Proposed Corrective Action Plan

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LEGISLATION SUMMARY

TrackingNo. 0036-22

Date: February 3, 2022

Re: **AN ACT RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES, AND BUDGET AND FINANCE COMMITTEES; ACCEPTING THE AUDITOR GENERAL'S AUDIT OF THE DEPARTMENT OF FAMILY SERVICES ("DFS") AND THE DFS' PROPOSED CORRECTIVE ACTION PLAN**

Purpose: to accept the Auditor General's Audit of the Department of Family Services, and to accept the DFS' proposed Corrective Action Plan.

OLC No. 22-001-1

5-DAY BILL HOLD PERIOD: Johnson
Website Posting Time/Date: _____
Posting End Date: 02-22-22
Eligible for Action: 02-23-22

1 PROPOSED STANDING COMMITTEE RESOLUTION
2 24th NAVAJO NATION COUNCIL - Fourth Year, 2022

3 Introduced by:

4 
5 _____

6 (Sponsor)

7
8 Tracking No. 0036-22

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10 AN ACT

11 RELATING TO THE HEALTH, EDUCATION, AND HUMAN SERVICES,
12 AND BUDGET AND FINANCE COMMITTEES; ACCEPTING THE AUDITOR
13 GENERAL'S AUDIT OF THE DEPARTMENT OF FAMILY SERVICES
14 ("DFS") AND THE DFS' PROPOSED CORRECTIVE ACTION PLAN
15

16 **BE IT ENACTED:**

17
18 **SECTION ONE. AUTHORITY**

- 19 A. The Health, Education, and Human Services Committee is the oversight Committee for the
20 Navajo Nation Division of Social Services. 2 N.N.C. §401(C)(1), 2 N.N.C. §1655.
21 B. The Department of Family Services is established as a program under the Division of Social
22 Services. Resolution No. HEHSJN-08-14, Resolution No. HEHSCS-21-16.
23 C. The Budget and Finance Committee has the authority to review and approve audit reports of
24 the Auditor General, and corrective action plans proposed by audited Navajo Nation
25 programs. 12 N.N.C. §6(A) and §7(D).
26

27 **SECTION TWO. FINDINGS**

- 28 A. Pursuant to 12 N.N.C §6 the Office of the Auditor General has prepared a fiscal review of
29 the Department of Family Services, titled: "A Special Review of Department of Family
30 Services" - Report No. 20-03 - dated December 2019 ("Audit"). **EXHIBIT A.**

1 B. The Department of Family Services responded to the Audit in a letter submitted to the
2 Auditor General on December 30, 2021. **EXHIBIT B.**

3 C. The Department of Family Services has prepared a detailed Corrective Action Plan,
4 submitted to the Auditor General on September 13, 2021, which addresses the findings in
5 the Audit. In the Corrective Action Plan the DFS proposes to cure the numerous Audit
6 findings by different dates in 2022. **EXHIBIT C.**

7 D. The Budget and Finance Committee has final authority to approve corrective action plans
8 proposed in response to audit findings. 12 N.N.C. §7(D).

9
10 **SECTION THREE. APPROVAL OF THE AUDIT OF THE DEPARTMENT OF**
11 **FAMILY SERVICES AND DFS' PROPOSED CORRECTIVE**
12 **ACTION PLAN**

13 A. The Navajo Nation hereby approves the Auditor General's fiscal review of the Department
14 of Family Services, titled: "A Special Review of Department of Family Services" - Report
15 No. 20-03, dated December 2019, attached hereto as **EXHIBIT A.**

16 B. The Navajo Nation hereby approves the Corrective Action Plan proposed by the Department
17 of Family Services, attached hereto as **EXHIBIT C.**

18
19 **SECTION FOUR. DIRECTIVES**

20 A. The Department of Family Services shall prepare and submit a written status report on its
21 progress implementing its Corrective Action Plan. DFS shall submit such report to the
22 Auditor General no later than six months after the effective date of this Legislation. 12
23 N.N.C. §7(F).

24 B. The Auditor General shall receive and review DFS' status report, shall prepare a
25 memorandum explaining the Auditor General's opinion about the success of DFS' corrective
26 efforts, and shall promptly submit such memorandum along with DFS' status report to the
27 Resources and Development Committee and the Budget and Finance Committee. 12 N.N.C.
28 §7(F).

29 C. Twelve months after the effective date of this Legislation the Auditor General shall conduct
30 a follow-up review of DFS to determine whether or not DFS has successfully implemented

1 its Corrective Action Plan. The Auditor General shall then prepare a report on its findings
2 resulting from the follow-up review, and such report shall include the Auditor General's
3 recommended sanctions, if any, to be imposed upon DFS for failure to implement its
4 Corrective Action Plan. 12 N.N.C. §7(G).

5 D. The Auditor General's follow-up report shall be presented to the Resources and Development
6 Committee and the Budget and Finance Committee. 12 N.N.C. §7(G).

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8 **SECTION FIVE. EFFECTIVE DATE**

9 This Legislation shall become effective pursuant to 12 N.N.C. §6(A) and §7(D).

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11 **SECTION SIX. SAVING CLAUSE**

12 If any provision of this Legislation is determined invalid by the Navajo Nation Supreme Court,
13 or by a Navajo Nation District Court without appeal to the Navajo Nation Supreme Court, those
14 provisions of this legislation not determined invalid shall remain the law of the Navajo Nation.