

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving the Nation's Position on Indian Health Services' Tucson Area Office
Residual and Tribal Shares)

RESOLUTION NO. 11-588

1 **WHEREAS, the Legislative Council is vested with the authority to “consult with the Congress of the**
2 **United States and appropriate federal agencies regarding federal activities that affect**
3 **the Tohono O’odham Nation. . .” and “to promote, protect and provide for public**
4 **health, peace, morals, education and general welfare of the Tohono O’odham Nation**
5 **and its members. . .” (Constitution, Article VI, Section 1(j) and Section 1(c)(2)); and**

6 **WHEREAS, the Indian Health Services' Tucson Area Office (“IHS TAO”) provides health care**
7 **services to two federally recognized tribes, the Pascua Yaqui Tribe and the Tohono**
8 **O’odham Nation; and**

9 **WHEREAS, the IHS TAO provides direct health care services to the Tohono O’odham Nation**
10 **through four health care facilities located on the Nation but members of the Pascua**
11 **Yaqui Tribe receive services from IHS TAO through a managed care plan funded by**
12 **contract health services dollars; and**

13 **WHEREAS, within the IHS TAO there are residual functions which are the inherent federal**
14 **functions that can only be performed by the IHS TAO and its federal employees; and**

15 **WHEREAS, once the IHS TAO's residual functions and funding levels are determined, the**
16 **remainder of the funds are available to both the Pascua Yaqui Tribe and Tohono**
17 **O’odham Nation as tribal shares for Public Law 93-638 contracting; and**

18 **WHEREAS, on October 1, 2010 the Pascua Yaqui Tribe fully contracted their program which**
19 **necessitated an assessment of the IHS TAO's residual staffing and funding levels; and**

20 **WHEREAS, during several meetings held throughout 2011, the Tohono O’odham Nation met with**
21 **the Pascua Yaqui Tribe and the IHS TAO to discuss the issue of residual functions and**
22 **tribal shares; and**

23 **WHEREAS, in an October 17, 2011 written presentation to the Legislative Health and Human**
24 **Services Committee, the IHS TAO provided information about the residual functions**
25 **and two methodologies for determining tribal shares, user population and workload**
26 **analysis; and**

27 **WHEREAS, the Nation's members utilize the four IHS medical facilities within the Tucson Area but**
28 **the four facilities also provide health care services to any American Indian or Alaskan**
29 **Native; and**

RESOLUTION NO. 11-588

(Approving the Nation's Position on Indian Health Services' Tucson Area Office Residual and Tribal Shares)

Page 2 of 4

1 **WHEREAS, the health care services provided to members of the Pascua Yaqui Tribe are on an**
2 **individual basis and funded by contract health services dollars; and**

3 **WHEREAS, the workload analysis methodology as described on page 10 of the October 17, 2011**
4 **written presentation, a copy of which is attached and incorporated by this reference,**
5 **more accurately reflects the costs associated with providing health care services to the**
6 **members of the Tohono O'odham Nation; and**

7 **WHEREAS, the IHS TAO acting director requested recommended approaches from each tribe**
8 **within the Tucson Area; and**

9 **WHEREAS, the Legislative Health and Human Services Committee, in consultation with the**
10 **Nation's Department of Health and Human Services, recommends approving the**
11 **workload analysis on page 10 of the October 17, 2011 written presentation provided**
12 **by IHS as the Nation's official position on tribal shares.**

13 **NOW, THEREFORE, BE IT RESOLVED by the Tohono O'odham Legislative Council that it hereby**
14 **approves as the Nation's official position the workload analysis on page 10 of the**
15 **October 17, 2011 written presentation provided by IHS as the Nation's official position**
16 **on tribal shares.**

17 **BE IT FURTHER RESOLVED by the Tohono O'odham Legislative Council that it urges IHS Director**
18 **Dr. Yvette Roubideaux to accept the Nation's position on the IHS TAO tribal shares**
19 **methodology.**

20 **BE IT FINALLY RESOLVED by the Tohono O'odham Legislative Council that the Nation's**
21 **Chairperson or official designee is authorized and directed to communicate the**
22 **Nation's position to Dr. Yvette Roubideaux and the IHS TAO.**

23 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07TH Day**
24 **of DECEMBER, 2011 at a meeting at which a quorum was present with a vote of 2,780.60 FOR; -0-**
25 **AGAINST; -0- NOT VOTING; and [01] ABSENT, pursuant to the powers vested in the Council by**
26 **Section 1 (j) and 1(c)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by**
27 **the Tohono O'odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**
28 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**
29 **18, 1934 (48 Stat. 984).**

30
31
32
33
34
35
36

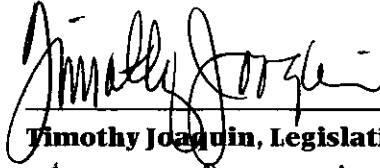
RESOLUTION NO. 11-588

(Approving the Nation's Position on Indian Health Services' Tucson Area Office Residual and Tribal Shares)

Page 3 of 4

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

8 day of December, 2011

ATTEST:

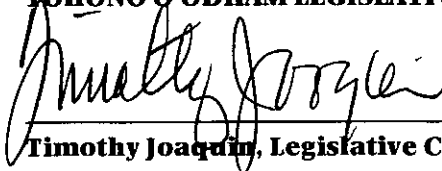


Evonne Wilson, Legislative Secretary

8 day of December, 2011

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 8 day of December, 2011 at 4:49 o'clock, p.M., pursuant to the provisions of Section 4 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



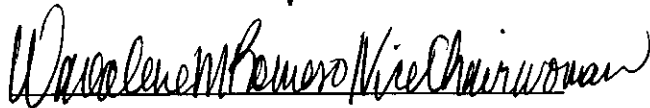
Timothy Joaquin, Legislative Chairman

APPROVED

on the 8 day of December, 2011

DISAPPROVED

at 4:51 o'clock, p.M.



**NED NORRIS, JR., CHAIRMAN
TOHONO O'ODHAM NATION**

RESOLUTION NO. 11-588

(Approving the Nation's Position on Indian Health Services' Tucson Area Office Residual and Tribal Shares)

Page 4 of 4

1 Returned to the Legislative Secretary on the 8 day of

2
3 December, 2011, at 4:55 o'clock, P.M.

4
5 Evonne Wilson

6 **Evonne Wilson, Legislative Secretary**

7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ACTION: APPROVING THE NATION'S POSITION ON INDIAN HEALTH SERVICES' TUCSON AREA OFFICE RESIDUAL AND TRIBAL SHARES

MOVED: COUNCILWOMAN SANDRA ORTEGA

SECOND: COUNCILMAN CHESTER ANTONE

DATE: DECEMBER 07, 2011

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 342.0	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE (Vernon Smith)	171.0	X			
CHUKUT KUK 302.2	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ()	151.10	X			
GU ACHI 244.9	1. TIMOTHY L. JOAQUIN (Rose Johnson Antone)	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
GU VO 226.7	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL (Angela Ortiz)	113.35	X			
HICKIWAN 186.3	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15	X			
	2. SANDRA ORTEGA ()	93.15	X			
PISINEMO 200.7	1. CHESTER ANTONE ()	100.35	X			
	2. EDWARD MANUEL (Gerald Fayuant)	100.35	X			
SAN LUCY 204.6	1. LORRAINE EILER ()	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30	X			
SAN XAVIER 215.8	1. HILARION CAMPUS ()	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90	X			
SCHUK TOAK 169.8	1. FRANCES B. CONDE ()	84.90	X			
	2. FREDERICK JOSE (Phyllis Cachora)	84.90	X			
SELLS 475.7	1. ARTHUR WILSON (<i>Absent</i>) (Kimberly Mull) (<i>Present</i>)	237.85	X			
	2. EVELYN B. JUAN MANUEL ()	237.85	X			
SIF OIDAK 211.9	1. NICHOLAS JOSE ()	105.95	X			
	2. MARY LOPEZ ()	105.95	X			X
TOTAL		2,780.60	2,780.60	-0-	-0-	[01]