WHEREAS, the status of the Gaá Čhéng Ziibí Daáwaa Aníšinháábek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council had ratified a Compact with IHS for the delivery of health services in February of 2009; and

WHEREAS, the Tribal Ogema has recommended and the Tribal Council has concurred that a policy statement regarding the delivery of Contract Health Services during an unusual circumstance requires a clear directive by the Government in order to provide a continuum of care for eligible CHS participants; and

WHEREAS, the Little River Band is in the process of recruiting a long term contracted physician to act as Medical Director of the Tribe’s Clinic and Health Services operations; and

WHEREAS, the Tribal Ogema is actively recruiting candidates for that position, and has engaged a temporary professional services contract with a qualified provider to
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act as the Medical Director and primary care physician for the clinic operation in the interim, as authorized by Council Resolution # 09-0619-172 until a new professional services contract can be executed with another provider; and

WHEREAS, it has been identified that there are carry over measures, including such items as prescription drug refills, specialist care referrals, and other clinical care items that were initiated by the former provider that must be continued during the transition from one provider to another, to ensure that Tribal Citizens health stability is preserved.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby adopts by this resolution the following Policy directive:

"In accordance with the Compact signed between the Little River Band and Indian Health Services, dated February 2009, the Little River Band will continue to administer Contract Health Funds in accordance with its existing contract health services policies including medical care ordered by the former physician. The Tribal Health Services will review and authorize payment for all prescriptions that provided for refills or referrals for treatment that were issued by the former practitioner (Julie Dixon, D.O.) in accordance with the contract health services policies, notwithstanding the expiration of the provider contract on June 10, 2009, or any change in CHS priority levels that may have gone into effect on or after June 10, 2009."

IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians directs the Ogema, in conjunction with Health Services, to provide a public announcement to Members, both through contacts to the Clinic directly as well as through other media utilized by the Tribe for public notices, that a new Provider has been contracted with on an interim basis, and health services will continue with minimal disruption. The Ogema has the discretion to craft such notice in the manner he sees fit.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at an Emergency Session of the Little River Band of Ottawa Indians Tribal Council held on June 19, 2009, at the Little River Band’s Tribal Council Conference Room in Manistee, Michigan, with a quorum being present for such vote.

[Signature]
Jenne M. Sam, Council Recorder

[Signature]
Stephen Parsons, Council Speaker

Attest:
Distribution: Tribal Council, Tribal Ogema, Tribal Court