



**Little River Band of Ottawa Indians  
Tribal Council**

2608 Government Center Drive  
Manistee, MI 49660  
(231) 723-8288

Moved to  
Open Session  
11/09/16

**Resolution #16-0518-146**

*Approving Tribal Ogema to Execute the End User Agreement for Aggregation Services for  
Tribal Health Programs and associated Data Exchange Agreement and HIPAA Business  
Associate Agreement with Indian Health Services*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (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 legislative powers of the Tribe are vested in the Tribal Council according to Article IV, Section 1 of the Constitution; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(a)(1) and (2) to exercise the inherent powers of the Tribe by establishing laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to promote, protect and provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and

WHEREAS, the Tribal Council is authorized by Article IV, Section 7(b) to authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Tribe with political subdivisions or private parties on all matters within the authority of the Tribal Council; and

WHEREAS, the executive powers of the Tribe are vested in the Tribal Ogema according to Article V, Section 1 of the Constitution; and

WHEREAS, the Tribal Ogema is authorized to consult, negotiate and execute agreements and contracts on behalf of the Tribe with governments, political subdivisions and private parties, subject to authorization and ratification by Tribal Council; and

WHEREAS, the Tribal Ogema has consulted and negotiated with Indian Health Services (IHS) to allow IHS to act as an aggregator so that the Tribe can gain access to the Surescripts e-prescribing network; and

WHEREAS, IHS requires the Tribe to execute a Data Exchange Agreement and a HIPAA Business Associate Agreement for access to the Surescripts e-prescribing network.

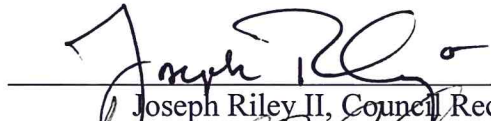
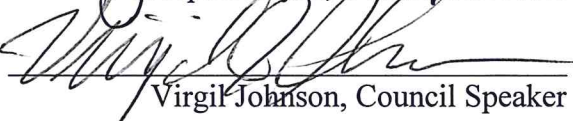
NOW THEREFORE IT IS RESOLVED, that the Tribal Council approves the Tribal Ogema's execution of the End User Agreement for Aggregation Services for Tribal Health Programs.

IT IS FURTHER RESOLVED, that the Tribal Council approves the Tribal Ogema's execution of the Data Exchange Agreement.

IT IS FURTHER / FINALLY RESOLVED, that the Tribal Council approves the Tribal Ogema's execution of the HIPAA Business Associate Agreement.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on May 18, 2016 at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Joseph Riley II, Council Recorder  
  
\_\_\_\_\_  
Virgil Johnson, Council Speaker

Attest:

cc: Council Records  
Tribal Ogema