



**RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION**

(Requesting U.S. Indian Health Service Phoenix Area Office to Amend its Proposed Budget for Fiscal Year 2008 for the Whiteriver Service Unit and Apply All Fiscal Year 2007 Carryover Funds to Meet the Capital Requirements of the Whiteriver Service Unit)

WHEREAS, pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, staff from the U.S. Indian Health Service ("IHS."), Whiteriver Service Unit ("WRSU"), did this day present the IHS Fiscal Year 2008 Budget for WRSU to the Tribal Council; and

WHEREAS, the FY 2008 budget, as prepared by the IHS Phoenix Area Office, shows carryover funds from third-party billing revenue (AHCCCS, Medicare and Medicaid) for Fiscal Year 2007 totaling over \$3.8 million, which was derived from WRSU patients, but proposes that only \$463,417 remain with the WRSU, while \$3.4 million will be distributed to other service units in the IHS Phoenix Area, at the expense of the WRSU capital and budget needs; and

WHEREAS, WRSU capital needs include continuing the Direct Patient Care Specialty Clinic, purchase of furniture and equipment for newly renovated exam rooms, repair of the hospital roof, and planning for the expansion of dental services— all of which will not occur under the proposed FY 2008 Budget; and

WHEREAS, the impact of the proposed distribution of third-party revenue will reduce services for enrolled members of the White Mountain Apache Tribe, increase expenses related to patient care due to referrals and use of air ambulance services, decrease third-party revenue at WRSU, postpone gravely needed facility repairs for WRSU due to lack of funding, and possibly result in the loss of \$460,000 to expand dental services; and

WHEREAS, the Tribal Council finds that all of the third-party revenue derived from Medicare and Medicaid at the WRSU should remain in the WRSU for the benefit of enrolled members of the White Mountain Apache Tribe and other patients of the WRSU; and

WHEREAS, the Tribal Council further finds that the IHS Phoenix Area Office should not attempt to utilize third-party revenue from the WRSU for the benefit of other Tribes in the Phoenix Area, as such an effort would stand against the priority needs of the White Mountain Apache Tribe and would negatively impact the IHS own mission of promoting wellness among its members.

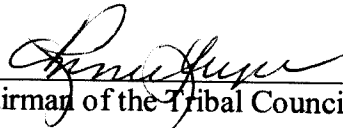
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

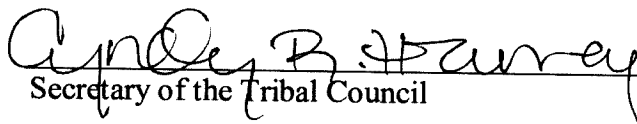
Resolution No. 02-2008-042

1. The U.S. Indian Health Service Phoenix Area Office is hereby requested to amend its proposed Fiscal Year 2008 Budget for the Whiteriver Service Unit such that all third-party revenue derived from third-party billing (AHCCCS, Medicare and Medicaid) at the WRSU carried over from Fiscal Year 2007 and future fiscal years remain in the WRSU for the benefit of the White Mountain Apache Tribe and other patients of the WRSU.
2. The Phoenix Area Office is further requested to utilize all of the third-party revenue carried over from Fiscal Year 2007 for the capital and budget needs of the Whiteriver Service Unit as described herein.
3. The Phoenix Area Office is finally requested to end the practice of using third-party revenues from one service unit for the benefit of other service units.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution, including advisement of the request made herein to the IHS Phoenix Area Director, the Secretary of the U.S. Department of Health and Human Services, and the U.S. Congressional delegation for the State of Arizona as may be appropriate.

The foregoing resolution was on February 27, 2008, duly adopted by a vote of SIX for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (s), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council