



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### **(Authorizing the Division of Health Programs to Regulate Outpatient Behavioral Health Service Contracts on the Fort Apache Indian Reservation)**

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- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(s) that the Tribal Council (“Council”) shall exercise the power, “To ...regulate subordinate organizations for economic and other purposes”; and
- WHEREAS,** The Tribal Council has created and directed the Division of Health Programs (“DHP”) to oversee the public health departments on the Ft. Apache Indian Reservation (“Reservation”); and
- WHEREAS,** DHP has comprehensive plans to improve services to Tribal members, including continuing programs in progress including expanding services in the communities in Whiteriver, Cibecue and McNary; and
- WHEREAS,** It has come to the attention of the Tribe that many off-Reservation behavioral health facilities and providers provide sub-standard services to Tribal members, but also are actively coming onto the Reservation recruiting and removing persons; and
- WHEREAS,** DHP, this day, requests that the Council delegate the authority to it to regulate outpatient behavioral health recruiting and contracts on the Fort Apache Indian Reservation, to screen facilities, ensure that Tribal members are returned to the White Mountain Apache Tribe, and obtain administrative fees;
- WHEREAS,** DHP also asks that it be allowed to obtain updates, rosters, discharges and current facility information on Tribal members who are receiving outpatient behavioral health medical services off the Reservation, to track their progress and safety; and
- WHEREAS,** Council find that authorizing DHP’s request to regulate off-Reservation behavioral health providers who recruit and advertise services on the Reservation will help protect Tribal members and ensure the quality of care, and is in the best interests of the Tribe and its members.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribe’s Division of Health Programs to regulate, in the manner stated above, off-Reservation behavioral health providers, who recruit Tribal members as patients, or who advertise their services on the Fort Apache Indian Reservation .

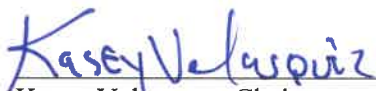
***Resolution No. 05-2022-129***

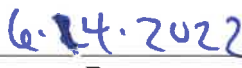
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

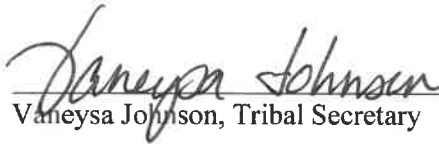
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on MAY 23, 2022 duly adopted by a vote of NINE for, ONE against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

  
Kasey Velasquez, Chairman

  
Date

  
Vaneysa Johnson, Tribal Secretary

  
Date