

RESOLUTION # _____

MINNESOTA HEALTH INSURANCE EXCHANGE TRIBAL CONSULTANT POLICY

The Fond du Lac Reservation Business Committee, on behalf of the Fond du Lac Band of Lake Superior Chippewa, hereby enacts the following Resolution:

WHEREAS, the Fond du Lac Reservation is a sovereignty, created by the Treaty of September 30, 1854, 10 Stat. 1109, as the perpetual home of the Fond du Lac Band of Lake Superior Chippewa, which possesses the inherent jurisdiction and authority to exercise regulatory control within the boundaries of the Fond du Lac Reservation; and

WHEREAS, it is the sovereign obligation of the Fond du Lac Reservation Business Committee, as the Governing Body of the Fond du Lac Band, under the Reorganization Act, 25 U.S.C. section 461 et seq., and in accordance with the Indian Self-Determination Act, 25 U.S.C. section 450 et seq., to assume the responsibilities of Self-Government; and

WHEREAS, tribal consultation has been affirmed in several federal statutes and various presidential orders including, but not limited to, the Older Americans Act of 1965; the Indian Self-Determination and Education Assistance Act of 1975; the Indian Health Care Improvement Act of 1976; the Native Americans Programs Act of 1974; the Personal Responsibility and Work Opportunity Reconciliation Act of 1996; Presidential Executive Order 13175, "Consultation and Coordination with Indian Tribal Governments", November 6, 2000; Presidential Memorandum, "Government-to-Government Relationship with Tribal Governments", September 23, 2004; Presidential Memorandum, "Tribal Consultation", November 5, 2009; the American Recovery and Reinvestment Act of 2009; the Children's Health Insurance Program Reauthorization Act of 2009; and the Patient Protection and Affordable Care Act of 2010; and

WHEREAS, the Centers for Medicaid and Medicare Services has required states to establish a tribal consultation policy especially for its health insurance exchanges; and

WHEREAS, representatives from the Minnesota tribes have developed, discussed, negotiated, and reviewed the proposed Minnesota Health Insurance Exchange Tribal Consultation Policy in cooperation with State of Minnesota officials; and

WHEREAS, an appropriately announced and attended tribal consultation meeting was conducted on February 15, 2012 where the policy was presented, discussed, and reviewed; and

WHEREAS, nothing in the proposed Minnesota Health Insurance Exchange Tribal Consultation Policy modifies, diminishes or interferes with any Minnesota tribes' direct government-to-government relationship with the State of Minnesota;

NOW THEREFORE BE IT RESOLVED, that the Fond du Lac Band of Lake Superior Chippewa supports and endorses the Minnesota Health Insurance Exchange Tribal Consultation Policy as presented; and

BE IT FURTHER RESOLVED that because the Fond du Lac Reservation Business Committee is committed to improving the health and social welfare of all American Indian/Alaska Natives living in its service area, it will endeavor to remain engaged with the Minnesota Health Insurance Exchange Advisory Taskforce and the Commissioners of Commerce and Human Services.

CERTIFICATION

We do hereby certify that the foregoing Resolution was duly presented and acted upon by a vote of _____ for, _____ against, _____ silent with a quorum of _____ being present at a _____ Meeting of the Fond du Lac Reservation Business Committee held on _____, 20____, on the Fond du Lac Reservation.

Karen R. Diver, Chairwoman

Ferdinand Martineau, Jr., Sec./Treas.