

**RESOLUTION OF THE GOVERNING BODY OF  
THE THREE AFFILIATED TRIBES  
OF THE FORT BERTHOLD RESERVATION**

- WHEREAS,** This Nation, having accepted the Indian Reorganization Act of June 18, 1934, and the authority of said Act; and
- WHEREAS,** The Constitution and By-Laws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities in behalf of and in the interest of the welfare and benefit the Tribes and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 5 (d) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to negotiate with the Federal, State and local governments on behalf of the Tribe, and to advise and consult with the representatives of the Interior Department on all activities of that department that may affect the Fort Berthold Reservation; and
- WHEREAS,** The Tribal Business Council negotiated with the Federal Government and contracted specific Federal functions, activities and services of Indian Health Service, under provisions of P.L. 93-638 and amending legislation; and
- WHEREAS,** The Tribal Business Council, in negotiating with the Federal Government, elected to enter into a Comprehensive Health Care Contract for the purpose of delivering health care services on the Fort Berthold Reservation, which services would otherwise be delivered by the Federal Government; and
- WHEREAS,** Within the Comprehensive Health Care Contract, the Tribal Business Council elected to include physician and physician extender(s) functions, as a component; and
- WHEREAS,** The Tribal Business Council, in its effort to provide uninterrupted quality primary rural health care to the residents of the Fort Berthold Reservation, chose to enter into a Physician and Physician Extender Services Employment Agreement with qualified health care professionals; and

RESOLUTION # 00- 90 -DSB

**WHEREAS,** The Physician and Physician Extender Services Employment Agreement provided that normal tour of duty would generally be between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, but that the Minni-Tohe Clinic will require one or more of the physician(s) or physician extender(s) to be on call twenty-four (24) hours per day, seven (7) days per week; and

**WHEREAS,** The Tribal Business Council chooses to implement the Three Affiliated Tribes' Physician and Physician Extender Services Employment Agreement which specifies that the Clinic will require one or more of the physician(s) or physician extender(s) to be on call twenty-four (24) hours, seven (7) days per week, and to assure continued delivery of accepted standard of care in accordance with the Joint Commission of Accredited Healthcare Organizations Manual; and

**WHEREAS,** The Tribal Business Council sanctions the implementation of the Tribes' Physician and Physician Extender Services Employment Agreement provision that one or more of the physician(s) or physician extender(s) be on call twenty-four (24) hours per day, seven (7) days per week, by extending health care services in which patients are triaged, in conjunction with the local ambulance service, providing emergent care by stabilizing patients and arranging for those patients to be sent to a local hospital; by treating patients at the Minni-Tohe Clinic if such care can be provided; and by arranging for patients who are not in need of immediate care, to be served at the Clinic during regular hours, which are between 8:00 a.m. and 5:00 p.m., Monday through Friday; and

**WHEREAS,** The Tribal Business Council prefers to implement the Physician and Physician Extender Services Employment Agreement with the Three Affiliated Tribes by expanding the Scope of Work contained in the Three Affiliated Tribes' Comprehensive Health Care Contract with Indian Health Service, to include twenty-four (24) hour, seven (7) day per week, on-call physician and physician extender services, in the manner described above.

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elects to expand the Scope of Work contained in the Comprehensive Health Care Contract with Indian Health Service.



**BE IT FURTHER RESOLVED**, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves expansion to the Scope of Work of the Comprehensive Health Care Contract with Indian Health Service to include the elements of the Tribes' Physician and Physician Extender Services Employment Agreement to appropriately allow one or more of the physician(s) or physician extender(s) to be on call twenty-four (24) hours per day, seven (7) days per week.

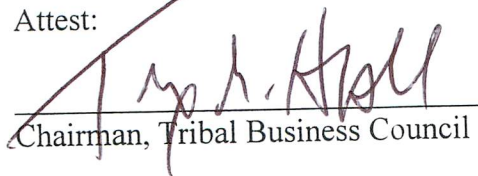
**BE IT FINALLY RESOLVED**, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation sanctions the implementation of the Physician and Physician Extender Services Employment Agreement provision by which the Minni-Tohe Clinic requires one or more of the physician(s) and physician extender(s) to be on call twenty-four (24) hours, seven (7) days per week by extending health care services whereby patients are triaged in conjunction with local ambulance services; by extending emergent care to patients in need of immediate care; by stabilizing patients in need of emergent care and arranging for those patients to be sent to a local hospital; by treating patients at the Minni-Tohe Clinic if such care can be provided; and by arranging for patients who are not in need of immediate care, to be served at the Clinic during regular hours, which are between 8:00 a.m. and 5:00 p.m.

**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Special meeting thereof duly called, noticed, convened, and held on the 10<sup>th</sup> day of March, 2000; that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 10<sup>th</sup> day of March, 2000.

Attest:

  
Chairman, Tribal Business Council

  
Secretary, Tribal Business Council