



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

A Resolution entitled, "P.L. 103-413 Contracting of Program Functions, Services, Activities Related Directly and Indirectly to the Administration, Billing, and Collection of Third Party Revenue, through the provisions of the Indian Self-Determination and Education Assistance Act, as amended"

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Three Affiliated Tribes Constitution authorizes and empowers the Mandan, Hidatsa & Arikara Tribal Business Council to engage in activity on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5(d) of the Constitution of the Three Affiliated Tribes empowers the Tribal Business Council to negotiate with Federal, State, and local governments on behalf of the Tribes; and

WHEREAS, The Tribal Business Council wishes to pursue reimbursement of Third Party Revenue resulting from delivery of health care services through the Minne-Tohe Health Center and Field Clinics in Mandaree, Twin Buttes, White Shield and Parshall; and

WHEREAS, The Tribal Business Council believes that its exercise of the provisions of P.L. 103-413, amending legislation to the Indian Self-Determination and Education Assistance Act, serves to provide the avenue by which reimbursement and collection of third party revenue may be realized for the benefit of the Tribe; and

WHEREAS, The Tribal Business Council chooses to implement the provisions of the Indian Self-Determination and Education Assistance Act, as amended, in order to assume the program functions, services and activities related directly and indirectly to third party revenue resulting from health care services through the Minne-Tohe Clinic and field clinics in Mandaree, Twin Buttes, White Shield and Parshall; and

WHEREAS, The Tribal Business Council recognizes the need for the provision of technical assistance in accomplishing its intent to pursue administration and collection process relative to third party revenue in order to achieve maximum results through the P.L. 93-638 (as amended) contracting process and third party billing; and



WHEREAS, The Tribal Business Council recognizes also that its exercise of the provisions of P.L. 103-413 will entail start-up costs in order to achieve the expectation of Tribes' assumption of responsibilities that would otherwise be performed by and required of Indian Health Service; and

WHEREAS, The Tribal Business Council prefers that technical assistance be made available through Indian Health Service in accordance with regulatory requirements,

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation sanctions the process of administering and collecting Third Party Revenue resulting from delivery of health care services through the Minne-Tohe Health Center and Field Clinics in Mandaree, Twin Buttes, White Shield and Parshall;

BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elects to exercise provisions of P.L. 103-413, amending legislation to the Indian Self-Determination and Education Assistance Act, for the purpose of contracting those program functions, services, and activities related directly and indirectly to the administration and collection process relevant to third party reimbursements for health care services at the Minne-Tohe Health Center, and field clinics in Mandaree, Twin Buttes, White Shield and Parshall;

BE IT REVOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation sanctions the recovery of start-up costs resulting in the Three Affiliated Tribes assumption of program functions, services, and activities related directly and indirectly to the administration and collection process relevant to third party revenue recovery;

BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation elects to seek technical assistance from Indian Health Service, for which provision is required to be made, and, **FURTHER,** that the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation *Osanctions the law firm of Hobbs, Straus, Dean and Walker, as the Provider;*

BE IT FURTHER RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation approves the assumption of responsibilities normally exercised by Indian Health Service with respect to administration, collection and recovery of Third Party Reimbursements for health care services through the Minne-Tohe Clinic to be effective October 1, 2003, or on the date negotiated, as hereinafter provided;



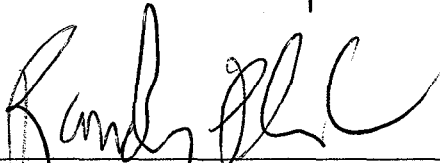
FINALLY, BE IT RESOLVED, That the Tribal Business Council of the Fort Berthold Reservation authorizes the Chairman of the Tribal Business Council to finalize the intent of the Three Affiliated Tribes to exercise the provisions of the Indian Self-Determination and Education Assistance Act, as amended.

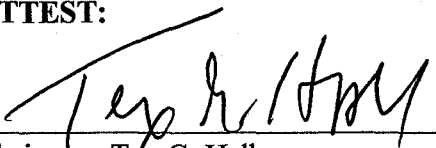
CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 11th day of September, 2003, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman Voting. [] Not Voting.

Dated this 11th day of September, 2003.


Executive Secretary, Randy Phelan
Tribal Business Council

ATTEST:

Chairman, Tex G. Hall
Tribal Business Council