



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

***A Resolution entitled, "Adopting the Purchased/Referred Care Policy."***

- WHEREAS,** This Mandan, Hidatsa, and Arikara Nation, also known as the Three Affiliated Tribes ("MHA Nation" or "Tribe"), having accepted the Indian Reorganization Act of June 18, 1934 and the authority under said Act, and having adopted a Constitution and By-laws under said Act, and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution and By-Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribe and of the enrolled members thereof; and
- WHEREAS,** Pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Council, its Agencies and Officials; and
- WHEREAS,** The Tribal Business Council recognizes the long-term and immediate need for continued quality health care for its members on the Fort Berthold Indian Reservation;
- WHEREAS,** The Tribe owns and manages its healthcare delivery system under the provisions of P.L. 93-638 Indian Self-Determination and Education Assistance Act (ISDEAA) contract and desires to improve the quality and efficiency of its services; and
- WHEREAS,** The Tribe operates a Purchased and Referred Care (or "PRC") Program on behalf of its beneficiaries; and
- WHEREAS,** The Tribe desires to adopt a Patient Purchased/Referred Care Policy and Procedures Manual (or "policy") to improve and further develop the management of its PRC Program.
- NOW, THEREFORE, BE IT RESOLVED** that the Tribal Business Council of the Three Affiliated Tribes does hereby adopt the Patient Purchased/Referred Care Policy and Procedures Manual and the following definitions:



- a. **Indian descent:** The Three Affiliated Tribes defines a person of Indian Descent as an enrolled member of a federally recognized tribe or an individual who is a descendant in the first or second degree of any such member of a federally recognized tribe.
- b. **Residency:**
  1. The Three Affiliated Tribes defines residency by both the physical presence of an individual at the principal place of residence combined with the intent of the individual to remain there permanently.
  2. A person may have only one principal place of residence at a time.
  3. Principal place of residence is the address of record for such activities as tribal benefits/programs, federal income tax reporting, voter registration, driver's license, tribal enrollment documentation, and federal health program enrollment documentation.
  4. Physical presence at the principal place of residence means the patient has physically occupied the true, fixed, and permanent home for the major portion of the year.
  5. Evidence of intent to permanently remain at the principal place of residence is determined by a patient's conduct and declarations about his or her residence, to include evidence of intention to return whenever absent from the residence due to business or pleasure, and oral or written statements, utility bills, election registers, tax returns, letters, contracts, insurance policies, and collection and verification of any documentation required by the Three Affiliated Tribes PRC Program.
- c. **Close Social and Economic Ties:** The Three Affiliated Tribes has determined that an individual with close social and economic ties to the Three Affiliated Tribes are Native Americans who:
  1. Are eligible to receive direct patient care at the Three Affiliated Tribes health facilities per Section I of this policy, and
  2. Are employees of the Three Affiliated Tribes tribal government or tribally-owned industries, and
  3. Have employee health insurance, and
  4. Satisfy the residency requirements at Section II(a) of this policy.

**BE IT FURTHER RESOLVED** that the Tribal Business Council authorizes the Elbowoods Memorial Health Center Purchase and Referred Care Program to administer Purchased and Referred Care spending in accordance with the adopted PRC policy; and

**BE IT FINALLY RESOLVED** that the Tribal Business Council hereby authorizes Elbowoods Memorial Health Center to implement the newly adopted PRC policy specific to the Three Affiliated Tribes.



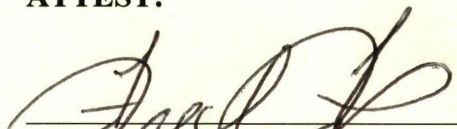
**CERTIFICATION**

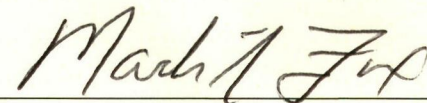
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13<sup>th</sup> day of May, 2021, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 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 13<sup>th</sup> day of May, 2021.

**ATTEST:**

  
Tribal Secretary, Fred W. Fox  
Tribal Business Council

  
Chairman, Mark N. Fox  
Tribal Business Council