WAGANAKISING ODAWAK STATUTE 1997004
HEALTH COMMISSION

SECTION I: SHORT TITLE AND PURPOSE

A. Short Title. This Statute may be cited as the "Health Commission Act."

B. Purpose. The purpose of this Statute is to set up a Health Commission that will provide direction to Tribal Comprehensive Health Services based on community need.

SECTION II: CREATION OF HEALTH COMMISSION

A. Creation of Commission. The Tribal Council hereby creates the Health Commission, which shall consist of seven (7) LTBB Tribal members at least eighteen years of age appointed by the Tribal Council. Members of the Tribal Council may be appointed to the Commission. Appointees shall be either knowledgeable concerning health delivery systems or recipients of services provided through the Comprehensive Health Center.

B. Term and compensation. Members of the Health Commission shall be appointed to serve for three (3) year terms. Members may be reappointed for additional terms without limitation. Provided, to stagger terms, when the Tribal Council makes initial appointments, three people shall be appointed to two (2) year terms, and four people shall be appointed to three (3) year terms. All appointments thereafter shall be for three (3) year terms. The Commission shall appoint separate individuals from within the Commission to serve as Chairperson, Vice-Chairperson, Secretary and Treasurer for terms of (1) year. There shall be no limit on reappointment. The Tribal Council may determine and authorize compensation to be paid to members of the Commission based upon the Tribal Council's determination of the time required to be expended upon Commission duties and the qualifications of the appointed Commissioners.

C. Oath of Office. Immediately upon appointment, the Tribal Chairman shall administer the

oath of office to the members of the Health Commission which oath of office shall include a commitment to uphold the Constitution and laws of the Little Traverse Bay Bands of Odawa Indians and to perform faithfully and diligently the duties and responsibilities set forth in this Statute.

D. Vacancies. In the event a vacancy occurs in the Health Commission, by virtue of death, resignation or removal, the Tribal Council shall appoint a qualified Tribal member to fill the remaining term of office.

E. Removal. Commissioners may only be removed in accordance with the Tribal statute governing such removal.

SECTION III: DUTIES OF THE HEALTH COMMISSION

The Health Commission shall have the following duties:

A. Develop proposed policies for the delivery of health services and recommend such policies to the Tribal Council for review and approval.

B. The Commission will be responsible for assisting the Health Department and/or Tribal Council in the preparation of the comprehensive health plan. The Commission will work jointly with the Tribal Health Director to assess health needs of the Indian Community and to prioritize services to assure the needs are fulfilled.

C. Periodically review the health contract budgets and services.

D. Receive notice of all Tribal Council and Tribal Administrative health related meetings where policies may be considered or adopted and attend such meetings whenever the Commission deems such attendance appropriate.

E. The Commission will be notified of all job openings within Comprehensive Health Care, and the Commission may appoint one of its members to the interview and selection team.

F. The Commission shall forward a copy of all of its minutes to the Tribal Council.

G. Engage in further health related activities as directed by the Tribal Council.

H. **Prohibited Activities:** The above duties do not include, and members of the Commission are prohibited from, all of the following:

1. Acting in an administrative or supervisory capacity with respect to any Comprehensive Health Center personnel or program.

2. Influencing application of established operating policies and procedures to cause benefit to any person, program, or agency who would otherwise not be so benefitted.

3. Participating in any action of the Health Commission which would constitute a conflict of interest under the Tribe's Personnel Policies and Procedures.

SECTION IV. STAFFING

The Tribal Council is authorized to assign administrative staff and staff with expertise in health delivery issues to assist the Commission.

SECTION V: MEETINGS, VOTING

A. **Meetings**. The Health Commission may meet as often as they deem necessary but must meet at least once each quarter.

B. **Voting.** Actions of the Health Commission shall be decided by a majority vote of those

present at the meeting. The Chair is entitled to vote on all matters before the Commission. A quorum shall consist of four (4) members including the Chair. Provided, an action may be ratified by non-attending members. If ratification is sought, all non-attending members shall be contacted personally, or by phone or fax, and all ratifications shall be reduced to writing and placed in the minutes and approved at the next regularly scheduled Commission meeting.

SECTION VI: SAVINGS CLAUSE

In the event that any phrase, provision, part, paragraph, subsection or section of this Statute is found by a court of competent jurisdiction to violate the Constitution, laws or ordinances of the Little Traverse Bay Bands of Odawa Indians, such phrase, provision, paragraph, subsection or section shall be considered to stand alone and to be deleted from this Statute, the entirety of the balance of the Statute to remain in full and binding force and effect.

Certification

As Tribal Chairman and Tribal Secretary, the undersigned certify that this Health Commission Statute was duly enacted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on April 20, 1997, at which a quorum was present, by a vote of 4 in favor, 0 opposed, and 0 abstentions as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	X			
Patricia Dyer-Deckrow				X
Frank Ettawageshik	X			
Barry Laughlin				X
Shirley Oldman	X			
Janet Shomin				X
Alice Yellowbank	X			

Date: 4-20-97

Frank Ettawageshik, Tribal Chairman

Barry Laughlin, Tribal Secretary