RESOLUTION OF THE
HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
of the 24th NAVAJO NATION COUNCIL -- Third Year, 2021

AN ACTION

RELATING TO HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE; RECOMMENDING FOR APPROVAL OF THE NAABIK'ÍYÁTI COMMITTEE THE DESIGNATION OF THE NAVAJOLAND NURSING HOME, INC. AS A NAVAJO NATION "TRIBAL ORGANIZATION" FOR THE PURPOSES OF CONTRACTING WITH THE UNITED STATES INDIAN HEALTH SERVICE AND AUTHORIZING IT TO NEGOTIATE AND ENTER INTO TITLE I, INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTS AND TITLE V SELF GOVERNANCE COMPACTS PURSUANT TO THE INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED), SUCH DESIGNATION OF "TRIBAL ORGANIZATION" BEING REVOCABLE AND CONTINGENT ON COMPLIANCE WITH ALL TERMS AND CONDITIONS AS REQUIRED

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. The Health, Education and Human Services Committee exercises oversight responsibility over all matters related to health on the Navajo Nation. 2 N.N.C. §400 (C)(1)

B. The Health, Education and Human Services Committee exercises authority to review and recommend the authorization and designation of a for-profit or non-profit health or social services organization as a tribal organization for the purposes of contracting or compacting under the Indian Self-Determination and Education Assistance Act. 2 N.N.C. § 401 (6)(e)

C. Navajo Nation Council Resolution CJY-33-10 authorized the previously existing Intergovernmental Relations Committee of the Navajo Nation Council to act as final approval authority, only upon a recommendation for approval by the Health, Education and Social Services Committee and each of the Navajo Nation Chapters to be served, for all additional designations of "tribal organizations."

D. Upon reorganization of the Navajo Nation Council and Committees the Naabik'iyati Committee assumed, unless otherwise specified, all the responsibilities of the previous Navajo Nation Council's Intergovernmental Relations Committee and the Health, Education and Social Services Committee was renamed the Health, Education and Human Services Committee. CAP-10-11

E. The Naabik'iyati' Committee of the Navajo Nation Council, only upon the recommendation for approval by the Health, Education and Human Services Committee and the approval of each of the Navajo Nation Chapters to be served, is to act as the final authority for approving the revocable designation of "tribal organization" for purposes of contracting under the Indian Self-Determination Act (P.L. 93-638, as amended), and Title V Self Governance Compacts pursuant to the Indian Self-Determination Act. (P.L. 93-638, as amended).

SECTION TWO. FINDINGS

A. Resolution CJY-33-10 authorized contractors to be authorized as Navajo Nation "tribal organizations" for the purpose of entering into Title V, Self-Governance Compacts/Contracts pursuant to the Indian Self-Determination Act, (P.L. 93-638, as amended).

B. The Navajoland Nursing Home, Inc. has requested to be designated a "tribal organization" for a period of four (4) years, for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) Contracts. *See* **Exhibit A**

C. The Navajoland Nursing Home, Inc. was incorporated in the State of Arizona on February 18, 1982. ACC File No. 01450670 Navajoland Nursing Home, Inc. is also incorporated under the laws of the Navajo Nation. BRD File No. 100092.

D. The Navajoland Nursing Home, Inc. serves the Navajo Nation Chapters of Chinle, Ganado, Blue Gap/Tachee, Low Mountain, Many Farms, Nazlini, and Tselani-Cottonwood.

E. The Navajoland Nursing Home, Inc. proposal for designation of "tribal organization" has been endorsed by separate resolutions adopted by all the named respective chapters. The chapter resolutions are attached and can be found in **Exhibit B.**

F. The Naabik'iyati' Committee, by Resolution NABIN-73-18 attached as **Exhibit C,** previously authorized the Navajoland Nursing Home, Inc., as a "tribal organization" to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended), Contracts and Title V, Indian Self-Determination Act (P.L. 93-638, as amended) Compacts being revocable and contingent on continuing compliance with all terms and conditions as approved by the Health, Education and Human Services Committee of the Navajo Nation Council.

G. The Health, Education and Human Services Committee of the Navajo Nation Council finds it to be in the best interest of the Navajo Nation to approve and recommend to the Naabik'íyáti Committee that the Navajoland Nursing Home, Inc. be given the revocable designation of "tribal organization" for a period of four (4) years for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) Contracts and Title V, Indian Self-Determination Act (P.L. 93-638, as amended) Compacts contingent on compliance with all terms and conditions as required in **Exhibit D.**

H. The Health, Education and Human Services Committee of the Navajo Nation Council finds it to be in the best interest of the Navajo Nation to rescind Resolution NABIN-73-18 previously adopted on November 29, 2018 attached as **Exhibit C.**

SECTION THREE. APPROVAL

A. The Health, Education and Human Services Committee of the Navajo Nation Council hereby rescinds Resolution NABIN-73-18.

B. The Health, Education and Human Services Committee of the Navajo Nation Council hereby approves and recommends to the Naabik'íyáti Committee that the Navajoland Nursing Home, Inc. be given the revocable designation of "tribal organization" for a period of four (4) years, beginning October 1, 2021 and ending September 30, 2025, for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) Contracts, and Title V, Indian Self-Determination Act (P.L. 93-638, as amended) Compacts contingent on compliance with Terms and Conditions as required in **Exhibit D.**

CERTIFICATION

I, hereby, certify that the following resolution was duly considered by the Health, Education and Human Services Committee of the 24th Navajo Nation Council at a duly called meeting at Window Rock, (Navajo Nation) Arizona, at which quorum was present and that same was passed by a vote of 3 in favor, 0 opposed, on this 16th day of June 2021.

Daniel E. Tso, Chairperson
Health, Education and Human Services Committee
Of the 24th Navajo Nation Council

Motion: Honorable Pernell Halona
Second: Honorable Paul Begay, Jr.

EXHIBIT
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A

NAVAJOLAND NURSING HOME, INC

PL93-638 APPLICATION

SUBMITTED BY:

NAVAJOLAND NURSING HOME, INC
DBA-CHINLE NURSING HOME
P.O. BOX 910
CHINLE ARIZONA 86503

NAVAJOLAND NURSING HOME, INC
Dr. Guy Gorman Sr. Care Home
P.O.Box 910
Chinle, Arizona 86503

March 01, 2021

Honorable President Johnathan Nez
Honorable 24th Navajo Nation Council
P.O. 7440
Window Rock, Arizona 86515

Dear Honorable President Nez & Council Delegates:

The Navajo Nation (NN) Naa' bik' iyati' Committee on November 29, 2019 Approved Legislation # NABIN-73-18 for Navajoland Nursing Home, Inc. (NNHI)dba-Dr. Guy Gorman Sr. Care Home (DGGSCH) for PL93-638Indian Self-Determination & Education Assistance Act(ISDEAA)for Title 1 fund with Navajo Area Indian Health Services (NAIHS). Pursuant to 25 U.S.C. Section 1621d Act & 26 U.S.C. Section 7702B (Attached), NNHI qualifies for 638 funding for Nursing Home Elder Care. NNHI is requesting your support in allocating funds in the identified accounts beginning FY 2022. By being a member of National Indian Health Board (NIHB), you qualify to vote for Title 1 & 5, contracting with IHS with a Tribal Resolution.

NNHI formally withdrew its ISDEAA contract (MOA) that was submitted to NAIHS on June 07, 2019, due to no funds available in the account for nursing care. Now that the NNHI Board re-assesses it' s option, we have decide to proceed with the agreement process.

Through PL93-638, the Navajo Nation will be able to lead toward a prosperous future of running and caring for their own elders, which would improve the strength & sovereignty of the NN.

Your is assistance is very much appreciated. If you have any questions, please contact me at 928-674-5216.

Sincerely,

Wayne Claw, CEO

Cc: NNH Board of Directors
NNHI File
Attachments

NNHI-DGGSCH BOARD OF DIRECTORS RESOLUTION

RESOLUTION
NAVAJOLAND NURSING HOME, INC.
DBA-DR. GUY GORMAN SR. CARE HOME
BOARD OF DIRECTORS
NNHI-2021-012

REQUEST THE UNITED STATES OF AMERICA DEPARTMENT OF HEALTH AND HUMAN SERVICES (USA-DHHS) AND THE NAVAJO AREA INDIAN HEALTH SERVICES (NAIHS) FOR PL 93-638 (Title I) FY 2022, 2023 2024 & 2025 FUNDS FOR NAVAJOLAND NURSING HOME, INC.

WHEREAS:

1. The Navajoland Nursing Home, Inc. (NNHI), dba-Dr. Guy Gorman Sr. Care Home (DGGSCH) is the governing body as designated in the Articles of Corporation and its By-laws as a private and non-profit organization incorporated with the State of Arizona, And;
2. The NNHI, DGGSCH under the entity of NNHI, was established for the sole purpose of providing adult care services to our eighty (80) Navajo elders and disabled adults who would otherwise be placed in off-reservation facilities to receive nursing care services, And;
3. The NNHI is certified under the State of Arizona Department of Health and Human Services for Medicare/Medicaid of the Federal XVII (Medicare) and Federal Title (Medicare/Medicaid/AHCCCS programs); And
4. The NNHI, the Navajo Nation Naa'bik'iyati' Committee through Legislation # NABIN-73-18, approved NNHI for PL93-638 funding from The United States of American Health and Human Services (USA-DHHS) and Navajo Area Indian Health Services (NAIHS)on November 29, 2019; And
5. The NNHI, Pursuant to NN PL93-638 Contract, NNHI requests Title I, FY funds from USA-DHHS, NAIHS to assist Elder Health Care on the Navajo Nation; And
6. The NNHI attached the FY's budget request for 4years under Title I, PL93-638 with USA-DHHS, NAIHS.

IT IS THEREFORE RESOLVED THAT

1. NNHI Request funds for FY 2022,2023, 2024, & 2025 under PL93-638 , Title I from USA-DHHS

CERTIFICATION

I certify that the foregoing Resolution was duly considered, Pursuant to NNHI By-laws; NNHI Board of Directors approve at NNHI, Apache County, Chinle, Arizona, 1st day of March, 2021 at which a quorum was presented with 4 in favor, 0 abstention and 0 oppose.

Motion by Alice White Second by Cecelia Sandoval

Victor Joe, Jr., President, NNHI Board of Directors 3/1/21 Date

NAVAJOLAND NURSING HOME, INC. DBA-DR. GUY GORMAN SR. CARE HOME
P.O. BOX 910
CHINLE, ARIZONA 86503

INTRODUCTION

I. The Navajoland Nursing Home, Inc. (NNHI) dba-Dr. Guy Gorman Sr. Care Home (DGGSCH) is defined as the only Center for Medicare/Medicaid Services (CMS) Level I, II & III Skilled Licensed Nursing Home on the Navajo Nation in Chinle, Arizona. NNHI was established in 1968 funded by the Navajo Nation Division of Social Services (Family Services Department), Bureau of Indian Affairs (BIA) PL-93-638 for 20 Navajo Elders. In 1971 NNHI was Incorporated under the State of Arizona as a 501 © 3 Non-profit organization receiving funds from AHCCCS through reimbursements for 60 Navajo Elders. In February 2019, NNHI completed and moved into the new 28 million dollars 80 bed facility funded by Navajo Housing Authority (NHA) and the Navajo Nation (NN). On November 28, 2019 the Navajo Nation Naa'bik'iyati' Committee approved NNHI for PL93-638 funding under the Indian Self-Determination and Education Assistance Act (ISDEAA). NNHI provides health care and serves the Navajo Elders within the territorial jurisdiction of the NN. NNHI has five Board of Directors who carries out the purpose, power and duties of the organization.
Based on the Census 2000, there are approximately 36,600 Navajo living on the NN over the age of 65+. The NN Division of Social Services

and Family Services estimated approximately 2,800 Navajo Elders are in need of extended health care. Others who may need extended health care includes disabled veterans, accident victims who no longer require acute care and the handicapped. Further or updated research is necessary to determine the exact number of Navajo Elders in need of extended care services.

The need for nursing home care services for the Navajo people has become increasingly important during the last 20 to 30 years, as a consequence of modernization and the breakdown of the Navajo family. Formerly, elders had a secure place within the extended family, many younger members of the family are now moving away to urban areas to seek employment and other urban amenities. The increased use of motor vehicles and consequent injuries and deaths from accidents has also created a need for extended care facilities to care for elder family survivors and those disabled.

The following also contributes to the placement of persons institutionalized in a nursing home: Housing problems, lack of water, fuel, poor sanitation, inadequate finances and lack of transportation. The purpose is to provide the services that is required. Navajos being the predominantly major client representation to a degree that reflects the highest optimal level of efficient and effective nursing home services within an adequate funding source. Also, to extend the services on the NN for Navajos to remain within the home boundaries and to preserved and promoted traditional concept and cultural heritage on daily basis. To the end, that the Navajo elders and disabled receive adequate and quality health nursing care and services.

II. SCOPE OF WORK

a. That GGSCH will provide community based Skilled Nursing Home Level I, II & III health care and hospice care services to Navajos Elders who require nursing home care due to infirmity, age and physically challenged conditions on a long-term basis.

- Provide nursing care services to Navajos consumers in activities of daily living, personal hygiene/grooming, range of motion exercise, medication administration, counseling, recreational and nutritional services.
- Skilled nursing care shall be provided in the DGGSCH by qualified/licensed personnel to deliver skilled/hospice nursing care services, as well as cultural/traditional support as needed. Services will include 24 hours a day, 7 days a week care, with safe supervision.
- The skilled nursing home shall provide a maximum of 2 residents to a room, unless room accommodates only 1 resident. Female residents will room separate from male residents
- Nursing Care Plans shall be developed by the Licensed Nursing Team and Medicare Care Providers. All Nursing Care Plan shall be individualized and integrated into the daily living routine as part of the nursing environment.
- Elders progress evaluations shall be measured on a quarterly basis with progress reports to the NN Standing Committees, MDT, semi-annual staff, and evaluations shall determine if the Nursing Care Plan is effective with update of care plans as needed upon changes in condition.
- All care and services to the elders shall be provided using Care Plans goals and objectives that are appropriate and culturally sensitive.

- The DGGSCH shall further accommodate those in need of Hospice Care and Respite Care.

III. Dr. Guy Gorman Sr. Care Home (DGGSCH) has a Vision, Mission, and Guiding Principles to change the landscape/painting of Nursing Home Care for Elders forever on the NN. DGGSCH is more than just a corporation or company...It's a revolution!

VISION

To Continue giving life to our Elders by Maintaining Dignity, Promoting Independence, Assisting with Activities of Daily Living, Respecting our Resident's Wishes

MISSION

To provide a Full Complement of Care Services, Offering Quality, Compassion, Integrity, Expertise, and to Build Relationship with our Elders, while honoring their Culture & Tradition

QUALITY OF LIFE FOR NAVAJO ELDERS

When it comes to Quality of Life for our Elders, We do things a little differently at NNHI:
Quality of Life, means many things, But most important, it means continuing to assist our Elders to live life to the fullest extent possible TRADITIONALLY, SPIRITUALLY, AND CULTURALLY, regardless of age or physical challenges. And by hiring and employing Quality of Life employees at DGGSCH.

Who have compassion and committed to work daily to fulfill our Elders Dreams & Desires.

NNHI organization belief is founded on 4 very important pillars: Spiritual, Cultural, Tradition & Caring

IV. REGULATION AND POLICY

A. Legislative Authority

In 1965, the Navajo Nation Council approved funds to build Chinle Nursing Home (CNH), which opened in July 1968 to provide nursing home care for Navajo elders under the Department of Social Services. Later, in 1969, Toyei Nursing Home opened, because CNH occupancy was at near capacity, but closed due to water contamination later. In 1971, when the NN was unable to provide Maintenance and Operation (OM) funds for CNH, CNH filed & became a 501© 3 Non-profit corporation under the State of Arizona, to request AHCCCS funds from Center for Medicare/Medicaid Services (CMS) thru reimbursement. NNHI became a Level I nursing home facility under CMS, and started operating under the HIPPA Regulations and Privacy Act. Software Point Click Care (PCC) and Minimal Data Set (MDS) was also established for Patients Record keeping pursuant to CMS regulations. A Memorandum of Agreement (MOA) was also established with Chinle Indian Health Service (IHS) for professional & specialized services (Doctors, PT, OT, ST, ect.) for NNHI's elder services

November 01, 2018, CNH became Dr. Guy Gorman Sr. Care Home (DGGSCH) as doing business (DBA). On November 28, 2018, the Navajo Nation Naa'bik'iyati' Committee approved/authorized legislation for NNHI to plan on a Funding Agreement with Navajo Area Indian Health Services (NAIHS) thru the PL93-638 Self Determination Act for 4 years (Title I). Once approved by NAIHS, NAIHS will provides oversight over NNHI. NNHI will receive funding from NAIHS under ISDEAA, Title I, to provide Nursing Home Care services on the NN for elders.

B. Lead Agencies

1. NNHI. Employer for the entire NNHI personnel.
2. NN Naa'bik'iyati' Committee (NNNC). NNNC approved NNHI to prepare a MOA with NAIHS for funds to operate nursing home care under PL 93-638.
3. NAIHS. Contractor for NNHI under ISDEAA, PL 93-638. NAIHS provides oversight over NNHI for 4 years.
4. NNHI will continue 3rd Party billing thru Arizona Health Care Cost Containment System (AHCCCS) for reimbursement.
5. Center for Medicare/Medicaid Services (CMS). NNHI will continue using HIPPA and Privacy Act until one is adopted by the NN.
6. NHHI Board of Directors will continue to be responsible and duties of NNHI.
7. Navajo Nation Council and NN President will have the final MOA approval between NHHI & NAIHS.

8. NN Department of Long-Term Care, under the Social Services Division (BIA 93-638). Provides elders placement through Doctor referrals
9. NN Health Education, Human Services Committee (NNHEHSC). Oversight over NNHI under Title 5.

C. Operational Policies and Procedures

1. NNHI has in place operational policies and procedures to ensure that its organizational structures have direction at the administrative level.
2. NNHI currently operates under the guidelines of a Scope of Work (SOW) that outlines the responsibilities and authority of the organization, staff, and legislative oversight. The SOW details the primary responsibilities of the organization' system.
3. NNHI will continue to use the CMS approved HIPAA and Privacy Act Regulations to keep in compliance with Licensed providers. NNHI will also stay in compliance with AHCCCS for Policies/Standards/Practices for third party reimbursement billing.
4. All NNHI Personnel are subject to NNHI Personnel & Procedures Policies and NN Office of Labor Relations Policies.

D. Funding Sources

1. NNHI is presently supported primarily through AHCCCS reimbursement billing through the NN Department of Long-Term Care, Family Services and the Indian Health Services referrals.

The funds are primarily utilized to purchase services, postage, vehicle maintenance, utilities bills, insurances, supplies, equipment, personnel, overtimes, hospital care for elders and daily operation of NNHI facilities.

2. NNHI is presently applying through contract (Title I) with NAIHS for PL93-638 for annual funding.
3. NNHI personnel rarely attend paid training, due to lack of funds. NNHI Board of Directors don't allocate funds for personnel to attend conferences. But CMS provides free training for staff.
4. Transportation and Transfer Services. NNHI uses its own transport services for its elders to appointments, activities, etc., uses current Arizona tariff rate established by CMS and AHCCCS.

E. Training and Licenses

1. NNHI utilizes CMS Level I, II & III, AHCCCS & Arizona Health Care Association (AHCA) Free training and certification seminars. All certified staff and administration personnel attended the general training. Plus, free videos are provided by AHCCCS Long Term Care Consortium (LTCC) for privacy training. The U.S. Department of Health and Human Services, Office for Civil Rights (OCR) has the authority to enforce the privacy rule. And is enforced base on compliance.

V. Organization Structures/Job descriptions

1. NNHI Nursing Home has been operating for over 50 years, first at Level I & II and in 2016 at Level III care certified by CMS.

All effort is clearly coordinated, to assure that elder health care is met. NNHI personnel have clearly defined and mutually accepted the roles and responsibilities to effectively provide nursing health care for all elders at NNHI facility. At NNHI, personnel understand that successful and honest implementation requires mutual respect and understanding among staff.

2. NNHI facility will have Level I, II & III health care consisting of Quality Assurance QA/QI Committee. The QA/QI will serve as a formal mechanism to address and solve health care problems with Elders within NNHI facility. NNHI will provide medical and nursing staff to coordinate and evaluate activities and the quality of elder care delivered by staff. A formal chain of command system has been developed, maintained, and utilized to address NNHI departments and organization.

VI. NNHI Departments Responsibilities

In addition to activities and duties noted in other sections of the Scope of Work, the NNHI department personnel's responsibilities (See attached position job responsibilities) is to provide quality and safe nursing home health care to all elders.

1. CEO
2. Director of Nurses
3. Assistant Director of Nurses
4. Licensed Registered Nurses
5. Licensed Practical Nurses
6. Certified Nurse Assistants
7. Certified Medical Assistants

8. Unit Aids
9. Admission Nurse (RN)
10. QAPI (RN)
11. Assessment Coordinator (RN)
12. Physical Therapist
13. Physical Therapist Assistant
14. Occupational Therapy
15. Dietary Supervisor
16. Housekeeping
17. Cooks
18. Security
19. IT
20. Payroll Specialist
21. Billing Clerk
22. Accounting Tech
23. Biller/Coder
24. Activities Coordinator Supervisor
25. Assistant Activity Coordinator
26. Maintenance Supervisor & Assistants
27. Receptionists

VII. Support Services

Emergency Plan. Emergency Plan was developed with the Navajo Nation Fire Department, Chinle Unified School District #24, Chinle Indian Health Services, Chinle Chapter, Navajo Nation Tribal Offices, Chinle Police Department involved.

VIII. How Federal Funds will be used.

1. NNHI personnel will perform within their scope of licensure and job descriptions.
2. NNHI personnel must have previously certified by State of Arizona Nursing Licensed, Certified and through primary education.
3. All records of skills performed will be or should be documented in the applications.

IX. Elder Transportation

1. NNHI utilizes ground transportation for all elder appointments and transportation for activities.

X. Communication

1. NNHI utilizes land phones and cell phones for communication on the NN.

XI. Public Relation/Education

1. NNHI attends/provides public information, community awareness to 110 Navajo chapters meetings, Department of Social Services, Long-Term Care offices and other elder gathering. Provide awareness through the Local newspaper posters and signs. AHCCCS and CMS provide public awareness on line system access.

XII. Evaluation

1. NNHI continues to develop a uniform quality improvement program and plan with the assistance of CMS to ensure effectiveness and grown within its business.

XIII. Proposed Development

1. Renovate the old Assisted Living facility to 18 bed Hospice unit.
2. Renovate the Maintenance building.

3. Purchase one ambulance.
4. Purchase three handicapped vehicles for elder appointment transportation.
5. Purchase one administration vehicle.
6. Purchase one maintenance vehicle.
7. Continue pharmacy agreement with Senior Pharmacy.
8. Training for Nurses Assistant (CNA, MA, UA, etc.) on QAPI.
9. Salary Increases-Upgrade Direct Services Staff salary, to meet State of Arizona Wages scale. Effort to retain professional staff. Include benefits.
10. Salary-5% Increases-Upgrade Dietary, Administration, and Housekeeping staff. For retainage. Including benefits.
11. Increase fund for Utilities cost, Elders supplies/food cost (transportation cost).
12. Hire three additional Security Guards, three Receptionists, three Cooks, two Maintenance Assistants, one Administrative Secretary, one Doctor, one Director of Nurses Secretary, one Coder, one RN Admission Nurses, 5 RN's, 5 LPN's, 8 CNA's, 4 MA's, 6 UA' and one OT (SEE ATTACHED NNHI BUDGET FOR FOUR (4) YEARS, WHICH INCLUDES THE ADDITIONAL NEW POSITIONS REQUESTED TO MEET CENTER FOR MEDICARE/MEDICAID SERVICES (CMS) PATIENTS TO STAFF REQUIREMENTS).
13. Continue contract with Indian Health Services and The Navajo Nation.
14. Implement budget for mobile two-way radio for better communication.

1. NNHI Proposed Budget Request for FY 2022, 2023 2024 & 2025 (Attached).

Signed by _____ 3/2/21
Wayne Claw, NNHI CEO Date

Signed by _____ 3/1/21
Victor Joe, Jr., President, NNHI Board of Director Date

NNHI, DBA-DGGSCH ORGANIZATION CHARTER

ORGANZATIONAL CHART

01/21-
Revised

NAVAJOLAND NURSING HOMES, INC.
BOARD OF DIRECTORS

CHIEF EXECUTIVE OFFICER-
Wayne Claw

CONSULTANTS
Dietician
Medical Doctors
Pharmacist
Physical Therapist
Chief Financial Officer
Biller

ACCOUNTING TECHNICAN-Rose Yazzie

BILLING/PAYROLL TECHNICIAN-Alli Haynes

HUMAN RESOURCES MANAGER-Melissa Olebar

DIETARY/HOUSEKEEPING DEPARTMENT

DIETARY/HOUSEKEEPING SUPERVISOR-
Sharon Joe

Housing Maintenance

I.T. TECHICIAN-Mika Claw

COOKS
FOOD SERVICE WORKERS
HOUSEKEEPERS, BARISTAS

SOCIAL SERVICE DEPARTMENT

SOCIAL SERVICES COORDINATORS-
Haskielena Begay (Females)
Rita Wagner (Males)

NURSING DEPARTMENT

DIRECTOR OF NURSING-
Monica Jones

SECRETARY

ASSISTANT DIRECTOR OF NURSING-

QA/QI/ INFECTION CONTROL-

OT, PT, PTA, ST

MDS COORDINATOR-Ruth Tracy

LICENSE STAFF-
RN, LPN, PRN

ADMISSIONS R.N.A.C.-
Rupa Devkota

L.C.N.A., C.N. A, DRIVERS, P.T. ASSISTANT, WARD CLERK, MA, UA, MRT/CODER,

ACTIVITY DEPARTMENT

ACTIVITY COORDINATOR-

ACTIVITIES PERSONNEL

MAINTENANCE DEPARTMENT

MAINTENANCE SUPERVISOR-
Michael Tsosie

MAINTENANCE WORKERS

SECURITY PERSONNEL

RECEPTIONIST DEPARTMENT

RECEPTIONIST SUPERVISOR-
Raenasha Claw

RECEPTIONIST PERSONNEL

Navajoland Nursing Homes, Inc.

PL93-638 Application

3rd Party Billing Budget

3rd party

NAVAJOLAND NURSING HOMES, INC.
DBA, CHINLE NURSING HOME
STATEMENT OF FUNCTIONAL EXPENSES
FOR THE YEAR ENDED DECEMBER 31, 2018

	Resident Services	Administrative Support Services	Total
Salaries and benefits	$ 2,215,173	$ 572,927	$ 2,788,100
Payroll taxes	55,499	207,429	262,928
Travel and per diem	17,452	14,050	31,502
Consumable supplies	204,311	10,066	214,377
Leases and utilities	18,482	198,249	216,731
Contractual services	585,263	163,328	748,591
Insurance	19,604	69,188	88,792
Maintenance and repairs	15,157	38,610	53,767
Training	1,119	845	1,964
Food and beverage	190,273	-	190,273
Other expenses	7,497	48,668	56,165
Penalties and interest	-	38,547	38,547
Loss on sale of assets	-	15,131	15,131
Total expenses before depreciation	3,329,830	1,377,038	4,706,868
Depreciation	75,504	226,511	302,015
Total expenses	$ 3,405,334	$ 1,603,549	$ 5,008,883

The accompanying notes are an integral part of these financial statements.

Navajoland Nursing Homes, Inc.

PL93-638 Application

Funding Request

NNHI,DBA-DGGSCH FISCAL YEARS BUDGET REQUEST

NNHI'S PL93-638 OBJECTIVES

(Financial & Non-Financial Objectives)

1. PL93-638 Contract-Improve Operating/Management funding opportunities.
2. Improve Grants Opportunities- 638 Diabetes and Alcoholism & other grants.
3. Fill all Licensed Staff positions (Doctor, Admission RN, Licensed Social Workers, etc.).
4. Fill all Certified Staff positions (Cooks, Housekeeping, Security, Units Aids, etc).
5. Fill new 80 beds in 6 months.
6. Renovate & Open the Assisted Living facility in one year, continue contract with Navajo Nation Family Services for Level I clients (Assisting Living).
7. Begin developing implementation for ongoing funding needs for 2nd year through five.
8. To improve by providing the best health care for all our elders.
9. Implement Cultural and Tradition values in Navajo elder's nursing home regulations
10. Improve staff wage and benefits.
11. Provide adequate training, & mentoring to create job satisfaction.

NNHI STAFF

1. Chief Executive Officer (1)
2. Information Technician (1)
3. Chief Finance Officer (1)
4. Human Resource Coordinator (1)
5. Billing Coder, (1)
6. Payroll Specialist (1)
7. Accounts Payable (1)
8. Social Service Coordinators (2)
9. Activity staff (2)
10. Physical Therapy (1) & PT Assistance (1)
11. Security Guards (2)
12. Receptionist (5)
13. Dietarian Supervisor (1)
14. Cooks (5)
15. Housekeeping (5)
16. Maintenance staff (3)
17. Medical Assistances (5)
18. Unit Aids (3)
19. Certified Nurse Assistants (22)
20. Licensed Practical Nurses (5)
21. Registered Nurses (4) & Contracted RN's (6)
21. Assisted Director of Nurses (1)
22. Directors of Nurses (1)
23. Quality Assurance (1)
24. Records Clerks (3)

Total 84

OUTSIDE CONTRACTS

26. Doctor (1)
27. Pharmacist (1)
28. Dietician (1)

Total 3

We value the time, skills, and expert opinions of our 85 staff. We are committed to providing fair and living wages, reasonable, structured work schedules and clear duties and spheres of rights and responsibilities for each team member. We do not expect staff to work for which they are not train; we do expect to share their suggestions for improving any aspects for our workers families, but also allow them a space to make a difference in the world around them, through caring and expert assistance to our community's most vulnerable members.

REQUEST 2022

NAVAJOLAND NURSING HOMES, INC
dba/CHINLE NURSING HOME
STATEMENT OF PRO FORMA EXPENSES

	Resident Services	Administrative Support Services	Total Expenses
Salaries and Benefits	$ 2,719,200.00	$ 379,500.00	$ 3,098,700.00
Travel and Per Diem	5,000.00	20,000.00	25,000.00
Consumable Supplies	13,000.00	250,000.00	263000.00
Leases and utilities	230,000.00	80,000.00	310,000.00
Contractual services	580,000.00	175,000.00	755,000.00
Insurance Expense	$75,000.00	25,000.00	100,000.00
itenace and repairs	40,000.00	0	40,000.00
Training	30,000.00	5,000.00	35,000.00
Fodd and beverages	200,000.00	0	200,000.00
Other expenses	3,000.00	10,000.00	13000.00
Penalties and interest	0	5,000.00	5,000.00
Payrol taxes	494,400.00	69,000.00	563,400.00
Loss/Gain on sale of assets	0	0	0
Total expenses before depreciation	4389600.00	1,018,500.00	$ 5,408,100.00
Depreciation	212,500.00	637,500.00	$ 850,000.00
Expenses	$ 4,602,100.00	$ 1,656,000.00	$ 6,258,100.00

KEYS TO SUCCESS

- We offer more elders-98% Navajo speaking staff, more staff oriented in Navajo culture & tradition, which provide our elders more understanding better healthcare than our competitors;
- We offer more elders-Traditional food of their choice which makes them happier and healthy.
- We offer better wages and benefits to our staff than our competitors, which causes less dissatisfaction and turnover.
- Having Indian Health Services (IHS) within 5 minutes ensures elders they will be care for, for more intensive assistance.

SUMMARY OF START UP EXPENSES

Two of the largest items in our start up budget is the Electronic/Computerized medical records system call Point Click Care (PCC) software and hiring additional Professional Staff. The primary designs of this system have already been used by NNHI for 5 years and presently, in the construction phase of the new facility by Sound and System. In addition to the obvious benefit of allowing multiple care-team members (IT, RN's, CNA, MA, MDS, Dr., PT, HRC & Finance) to easily exchange confidential information as they change shifts, this PCC system will allow staff to keep track of elders chronic conditions, monitoring gradual but serious changes in condition which might be overlooked in day to day interactions, and corroborate quantifiable medical data for our elders in our skilled nursing facility. Pursuant to HIPPA and Privacy Act Regulations, NNHI will have to meet the Staff to Resident Ratio, which NNHI lacks due to shortage of funding.

TITLE 1 CONTRACTING
&
TITLE 5 COMPACTING

Differences Between Title I Contracting and Title V Compacting Under the Indian Self-Determination Education Assistance Act (ISDEAA)

	Title I	Title V
Program Authority	Title I of the ISDEAA 25 U.S.C. § 450 et seq 25 C.F.R. § 900 et seq.	Title V of the IDSEAA 25 U.S.C. § 458aaa et seq. 42 C.F.R. § 137 et seq.
Program Summary	Federally recognized Tribes or Tribal Organizations contract with the IHS to plan, conduct, and administer one or more individual programs, functions, services or activities (PFSAs), or portions thereof, that the IHS would otherwise provide for Indians because of their status as Indians. 25 U.S.C. § 450f	Federally recognize Tribes or Tribal Organizations compact with the IHS to assume full funding and control over programs, services, functions or activities (PSFAs), or portions thereof, that the IHS would otherwise provide for Indians because of their status as Indians. 25 U.S.C. § 458aaa-3-4(b)
Eligibility	Any federally recognized Tribe or Tribal Organization is eligible for Title I contracting upon request of the Tribe by Tribal resolution. 25 U.S.C. § 450f(a)(1) 25 C.F.R. § 900.8	Eligibility for Title V requires that the Tribe or Tribal Organization (1) successfully complete a planning phase, (2) request participation in the Tribal Self-Governance Program by Tribal resolution or other official action by the governing body of each Tribe to be Served, and (3) demonstrate three fiscal years of financial stability and financial management capability. 25 U.S.C. § 458aaa-2 42 C.F.R. §§ 137.15-23
Documents Required	(1) A Contract that includes the model agreement in the ISDEAA and any other provisions agreed to by the parties, and (2) and Annual Funding Agreement (AFA) describing all PFSAs to be performed or administered, the associated funding, and method of payment. 25 U.S.C. § 450l 25 C.F.R. § 900.8	(1) A Compact that sets forth the general terms of the nation-to-nation relationship between the Tribe or Tribal Organization and the Secretary, and (2) an annual or multi-year Funding Agreement (FA) that generally identifies the PSFAs to be performed or administered by the Tribe, the financial terms and conditions, and the responsibilities of the Secretary. There is no model Compact, but the ISDEAA does require some mandatory provisions. 25 U.S.C. §§ 458aaa 3-4 42 C.F.R. §§ 137.30-46
Process	The eligible Tribe or Tribal Organization submits a Letter or Notice of Intent. Technical assistance is provided as necessary. The Tribe or Tribal Organization submits a Self-Determination Contract proposal for review. A draft Contract and AFA are produced, and negotiations are held with the Tribe or Tribal Organization. Within 90 days after receipt of the proposal, the IHS Area contracting officer must either approve the proposal and award the Contract or provide written declination of the proposal based on the five ISDEAA declination criteria. In the event of a declination, the IHS must sever and award any portion of the proposal not declined. See generally 25 U.S.C. § 450f-n 25 C.F.R. § 900 et seq.	The Tribe or Tribal Organization produces a draft Compact and FA. The IHS Agency Lead Negotiator (ALN) assembles a negotiation team and reviews the draft. Following pre-negotiation discussions, the ALN negotiates with the Tribe or Tribal Organization on behalf of the IHS Director. See generally 25 U.S.C. § 458aaa et seq. 42 C.F.R. § 137.1 et seq.

	Title I	Title V
Appeal	If a Contract proposal is declined, the Tribe or Tribal Organization must be provided with a written statement of any objections, assistance to overcome the stated objections, and a hearing on the record with the opportunity for appeal on the objections raised. 25 U.S.C. § 450f(b) 25 C.F.R. §§ 900.28-31	If issues arise on which the parties cannot reach agreement, the Tribe or Tribal Organization may submit a final offer to the IHS. Within 45 days, the Agency must make a determination on the final offer in accordance with the ISDEAA. 25 U.S.C. §§ 458aaa-6(b)-(d) 43 C.F.R. §§ 137.131-150
Redesign and Funding Reallocation	A Tribe or Tribal Organization may redesign PFSAs with IHS approval and may rebudget funding to meet Contract requirements without IHS approval in accordance with the ISDEAA. 25 U.S.C. §§ 450j(j) & 450j-1(o)	A Tribe or Tribal Organization may redesign or consolidate PSFAs and reallocate or redirect funding without IHS approval in accordance with the ISDEAA. 25 U.S.C. §§ 458aaa-4 & 458aaa-5(e) 42 C.F.R. § 137.185
Performance Monitoring	Generally, for routine monitoring, the IHS is limited to not more than one performance-monitoring visit per Contract; exceptions may apply. 25 U.S.C. § 450l(c)(b)(7)(C)	No routine monitoring is required. No citation.
Mandatory Reporting	For mature Contracts, an annual agency audit as required by the Single Agency Audit Act of 1984 and a brief annual program report. All other reporting requirements are negotiable. 25 U.S.C. § 450(c) 25 C.F.R. § 900.65	Annual single agency audit as required by the Single Agency Audit Act of 1984 and Health Status Reports. 25 U.S.C. §§ 458aaa-5(c) & 458aaa-6(a)(1) 42 C.F.R. §§ 137.165—173 & 137.200—207
Grants	Grants cannot be added to Title I Contracts or AFAs. No citation.	Statutorily mandated grants may be included in FAs. 25 U.S.C. § 458aaa-4(b) 42 C.F.R. §§ 137.75-77
Retrocession	A Tribe or Tribal Organization may choose to retrocede individual PFSAs or the entire Contract award to the IHS. 25 U.S.C. § 450j(e) 25 C.F.R. §§ 900.240-245	A Tribe or Tribal Organization may choose to partially or fully retrocede to the IHS any PSFA, or portion thereof, included in the FA. 25 U.S.C. § 458aaa-5(f) 42 C.F.R. § 137.185
Reassumption by the IHS	The IHS may rescind a Contract, in whole or in part, and take control of the PFSA involved if there is: (1) a violation of rights or endangerment of the health, safety, or welfare of any persons, or (2) gross negligence or mismanagement in the handling or use of Contract funds. 25 U.S.C. § 450m 25 C.F.R. §§ 900.246-256	The IHS may reassume operation of a PSFA and its associated funding if there is a specific finding of: (1) imminent endangerment of the public health caused by an act or omission of the Tribe or Tribal Organization and arising out of a failure to carry out the Compact or FA; or (2) gross mismanagement of the funds transferred to the Tribe or Tribal Organization by the Compact and FA. 25 U.S.C. § 458aaa-6(a)(2) 42 C.F.R. §§ 137.255-265
Funding Available for Planning and Negotiation	Tribal Management Grants are available for planning purposes. They cannot be added to Title I Contracts or AFAs and may not be used for Title V planning or negotiation activities. 25 U.S.C. §§ 450h(a) & (b)	Cooperative Agreements are available for Title V planning and negotiation activities. Receipt of a Cooperative Agreement is not required to participate in Title V. 25 U.S.C. § 458aaa-2(e) 42 C.F.R. §§137.24-26

NAVAJOLAND NURSING HOME, INC

PL93-638 APPLICATION

638 U.S. CODES & CFR'S
FOR

ASSISTED LIVING & LONG TERM CARE
FUNDING QUALIFICATION

PL93-638

Title ONE

PL-638 Contracting

Navajoland Nursing Home Board Meeting

Hon. Michael C. Nelson (Retired)

April 11, 2018

What is a 638 Contract?

The Indian Self-Determination and Education Assistance Act of 1975, Public Law 93-638, 25 U.S.C. 450 *et seq*., authorized contracting by Indian tribes and tribal organizations of federally-delivered services to Indians. The Act was part of the Self-Determination movement of the 190's and 1970's.

Does PL-638 cover nursing home services, like those offered by Navajoland Nursing Home?

The Secretary, acting through the Services, Indian tribes, and tribal organizations, may provide funding under this Act for the following services:

- Assisted living services
- Section 1602
- Hospice Care
- Long-term care services

—

Section 7702B(C) of Title 26
25 U.S.C. Section 1621d

Home and Community-Based Service

1. Homemaker/home health aide services
2. Chore services
3. Personal care services
4. Nursing care services provided by, or under the supervision of, a registered nurse.
5. Respite care
6. Training for family members in managing the individual.
7. Adult day care.
8. In the case of an individual with chronic mental illness, day treatment or other partial hospitalization, psychosocial rehabilitation services, and clinic services (whether or not furnished in a facility.)
9. Such other home and community-based services (other than room and board) as the Secretary may approve.

42 U.S.C. 1396t (a)

Hospice Care

A.) Nursing care provided by or under the supervision of a registered professional nurse,

B.) Physical or occupational therapy, or speech-language pathology services,

C.) Medical social services under the direction of a physician,

D.) (i) services of a home health aide who has successfully completed a training program approved by the Secretary and (ii) homemaker services,

E.) Medical supplies (including drugs and biologicals and the use of medical appliances, while under such a plan,

F.) Physicians' services

G.) Short-term inpatient care (including both respite care and procedures necessary for pain control and acute chronic symptom management) in an inpatient facility meeting such conditions as the Secretary determines to be appropriate to provide such care, but such respite care may be provided only on an intermittent, nonroutine, and occasional basis and may not be provided consecutively over longer than five days,

H.) counseling (including dietary counseling) with respect to care of the terminally ill individual and adjustment to his death,

I.) For a Hospice program carried out under the IHCIA, "such other services as an Indian tribe or tribal organization determines are necessary and appropriate to provide in furtherance of that care." 25 U.S.C.§1621d (a) (3)(B).

42U.S.C. 1395x (dd) (1)

Long Term Care Services

These "qualified long-term care services" are defined as necessary diagnostic, preventive, therapeutic, curing, treating, mitigating, and rehabilitative services, and maintenance or personal care services, which-

(A) Are required by a chronically ill individual, and

(B) Are provided pursuant to plan of care prescribed by a licensed health care practitioner.

26 U.S.C.Section 7702B(c)

Is Navajoland Nursing Home eligible for PL-638 contracting? YES

PL-638 contracting is available to tribes or tribal organizations.

"Tribal Organization" means the recognized governing body of any Indian tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which includes the maximum participation of Indians in all phases of its activities: *Provided,* That in any case where a contract is let or grant made to an organization to perform services benefiting more than one Indian tribe, the approval of each such Indian tribe shall be prerequisite to the letting or making of such contract or grant.

25 U.S.C. Section 5304 (l)

Is Navajoland Nursing Home a "tribal organization"?

The Navajo Nation makes the initial determination. That is evidenced by a resolution of the Health, Education and Human Services Committee of the Navajo Nation Council.

Are our clients eligible for PL-638 contracted services?

Client Eligibility

- Individuals...unable to perform a certain number of activities of daily living without assistance.

- Individuals with a mental impairment such dementia, Alzheimer's disease, or another disabling mental illness who may be able to perform activities of daily living under supervision.

- Such other individuals as an applicable tribal health program determines to be appropriate.

25 U.S.C. Section 1621d

What is the process to apply for a PL-638 contract?

There is a substantial application required, then review and approval by the Navajo Nation and review and approval by the Health Services.

An initial contract proposal must contain (among others) the following information:

...

(b) If the tribal organization is not an Indian tribe, the proposal must also include:

(1) A copy of the tribal organization's organizational documents (e.g., charter, articles of incorporation, by-laws, etc.)...

(d) A copy of the authorizing resolution from the Indian tribes(s) to be served.

(g) A brief statement of the programs, functions, services, or activities that the tribal organization proposes to perform, including...

(4) A description of the proposed program standards;

(5) An identification of the program reports, data and financial reports that the Indian tribe or tribal organization will provide, including their frequency...

(8) A statement that the Indian tribe or tribal organization will meet the minimum procurement, property and financial management standards set forth in subpart F, subject to any waiver that may have been granted under subpart K.

(h) The amount of funds requested, including:...

(2) An identification of the amount of direct contract support costs, including one-time start-up or pre-award cots under section 106(a)(2) and related provisions of the Act, presented by major categories such as:

(i) Personnel (differentiating between salary and fringe benefits);

(ii) Equipment;

(iii) Materials and supplies;

(iv) Travels;

(v) Subcontractors.

25 UFR § 900.8

What are our obligations under the 638 contract?

Financial Management Systems

25CFR § 900.43 General financial management systems standards

A tribal organization shall expend and account for contract funds in accordance with the procedures of the tribal organization.

25 CFR § 900.44 Minimum general standards

The fiscal control and accounting procedures of an Indian tribe or tribal organization shall be sufficient to:

(a) Permit preparation of reports required by a self-determination contract and the Act; and

(b) Permit the tracing of contract funds to a level of expenditure adequate to establish that they have not been ~~u~~sed in violation of any restrictions or prohibitions contained in any statute that applies to the self-determination contract.

25 CFR §900.45 Specific minimum requirements

An Indian tribe or tribal organization's financial management system shall include provisions for the following seven elements.

(a)*Financial reports* (b) *Accounting records.* **(c)** *Internal controls* **(d)** *Budget controls* **(e)** *Allowable costs* **(f)** *Source documentation* **(g)** *Cash management*

Basic Procurement Standards

25FR § 900.48

(a)The Indian tribe or tribal organization shall ensure that its vendors and/or subcontractors perform in accordance with the terms, conditions and specifications of their contracts or purchase orders.

(b)The Indian tribe or tribal organization shall maintain written standards of conduct governing the performance of its employees who award and administer contracts.

(1)No employee, officer, elected official or agent of the Indian tribe or tribal organization shall participate in the selection, award, or administration of a procurement supported by Federal funds if a conflict of interest, real or apparent, would be involved.

(2)An employee, officer, elected official, or agent of an Indian tribe or tribal organization, or of a subcontractor of the Indian tribe or tribal organization, is not allowed to solicit or accept gratuities, favors, or anything of monetary value from contractors, potential contractors, or parties to sub-agreements.

(3)These standards shall also provide for penalties, sanctions, or other disciplinary actions for violations of the standards.

(c)The Indian tribe or tribal organization shall review proposed procurements to avoid buying unnecessary or duplicative items or ensure the reasonableness of the price.

(d) The Indian tribe or tribal organization shall conduct all major procurement transactions by providing full and open competition...

(2) As provided in section 7 (b) and (c) of the Act, Indian preference and tribal preferences shall be applied in any procurement award.

(e) The Indian tribe or tribal organization shall make procurement awards only to responsible entities who have the ability to perform successfully under the terms and conditions of the proposed procurement.

(f) The Indian tribe or tribal organization shall maintain records on the significant history of all major procurement transactions.

(g) The Indian tribe or tribal organization is solely responsible, using good administrative practice and sound business judgement, for processing and settling all contractual and administrative issues arising out of a procurement. These issues include, but are not limited to, source evaluation, protests, disputes, and claims.

(1) The settlement of any protest, dispute, or claim shall not relieve the Indian tribe or tribal organization of any obligations under a self-determination contract.

(2) Violations of law shall be referred to the tribal or Federal authority having proper jurisdiction.

Property Management

25 CFR § 900.51 Property Management System

An Indian tribe or tribal organization's property management system shall account for all property furnished or transferred by the Secretary for use under a self-determination contract or acquired with contract funds. The property management system shall contain requirements for the use, care, maintenance, and disposition of Federally-owned and other property as follows:

(a)Where title vests in the Indian tribe, in accordance with tribal law and procedures; or

(b)In case of a tribal organization, according to the internal property procedures of the tribal organization.

25 CFR § 900.52 Property to be tracked

The property management systems of the Indian tribe or tribal organization shall track:

(a)Personal property with an acquisition value in excess of $5,000 per item;

(b)Sensitive personal property, which is all personal property that is subject to theft and pilferage, as defined by the Indian tribe or tribal organization. All firearms shall be considered sensitive personal property; and

(c)Real property provided by the Secretary for use under the contract.

25 CFR § 900.53 Property Management System Records

The property management system shall maintain records that accurately describe the property, including any serial number or other identification number. These records should contain information such as the source, titleholder, acquisition date, cost, share of Federal participation in the cost, location, use and condition of the property, and the date of disposal and sale price, if any.

Divide of Health and Indian Health Services.

Programmatic Reports and Data

25 CFR § 900.65

Unless required by statute, there are no mandatory reporting requirements. Each Indian tribe ~~or~~ tribal organization shall negotiate with the Secretary the type and frequency of program narrative and program data report(s) which respond to the needs of the contracting parties and that are appropriate for the purposes of the contract.

Other applicable contract provisions

Long-Term Care

... the Secretary, acting through the Services, is authorized to provide directly, or enter into compacts under the ISDEAA.....for, the delivery of long-term care (including health care services associated with long-term care) provided in a facility to Indians.

Inclusions

Shall provide for the sharing of staff or other services between the Services or a tribal health program and a long-term care or related facility owned and operated (ISDEAA) by the Indian tribe or tribal organization.

Contents of Agreements

May...delegate to the Indian tribe or tribal organization...supervision and control over Service employees...

Shall provide that expenses...relating to services that are shared....be allocated proportionately....

May authorize....to construct, renovate, or expand a long-term care or other similar facility (including....attached to a Service facility);

Other Assistance

The Secretary shall provide such technical and other assistance as may be necessary to enable applicants to comply with this section

-Stating of changing –Group-State

-Stating of changing -Group-Navajo Nation.

Use of Existing or Underused Facilities

The Secretary shall encourage the use of existing facilities that are underused, or allow the use of swing beds for long-term or similar care.

25 U.S.C. Section 1680(l)

Minimum requirement

Any nursing facility provided for under this section shall meet the requirements...under section 1919 of the Social Security Act **(42 U.S.C.1396r)** (70page statute)

DR. GUY GORMAN SR. CARE HOME

HOME SWEET HOME FOR CHEI DOO MA SANI

NAVAJO NATION CHINLE, ARIZONA



VISION & MISSION STATEMENT

VISION STATMENT

To Continue Giving Life to Our Elders

By Maintaining Dignity

Promoting Independence

Assisting with Activities of Daily Living Respecting our Elders Wishes

MISSION STATEMENT

To Provide a Full Complement Care Services Offering Quality, Compassion, Integrity, Expertise, and to Build Relationship with our Elders, while honoring their Culture & Tradition.

** NNHI, d.b.a - DGGSCH BOARD OF DIRECTORS **

- Victor Joe, Jr. Board President

- Alice White, Member

-Shirley Stoner, Member

-Wallace Hanley, Member

- Cecelia Sandoval, Member

CHIEF EXECUTIVE OFFICER (CEO)

WAYNE CLAW

NAVAJOLAND NURSING HOME INC. (NNHI)

d.b.a DR. GUY GORMAN SENIOR CARE HOME (DGGSCH)

- 1968 Established as Dine' Bitsiss Bah Aha Yaah, Funded by Navajo Nation Division of Health.

- 1971 Navajoland Nursing Home Incorporated: Dedicated under the State of Arizona, became non-profit 501c3.

-Now operating on reimbursment funds from Ahcccs, State Managed Care and approximately 6% from The Navajo Nation Family Services.

- The only Nursing Home in operation within the Navajo Nation, Certified by the Nation Nation and the State of Arizona CMS (Funded)

- Employ 96 individuals, 80% Certified, State of Arizona.

- 80 bed New Facility

-Level of care 1, 2, & 3

NAVAJOLAND NURSING HOME, INC.
dba-Dr. Guy Gorman Sr. Care Home

* 1968-Chinle Nursing Home was established & funded as Dine'Bitsiss Bah Aha Yaah, by the Navajo Nation Department of Health.

* 1971-Navajoland Nursing Home, Inc. was established and certified under the Arizona Department of Health & Human Service, Center for Medicare/Medicaid of the Federal Title XVIII (Medicare) & Title XIX (Medicare/AHCCCS) programs. NNHI is a Level I, II & III Care facility.

* NNHI, dba-DGGSCH was established for the sole purpose of providing adult care services for 80 Navajo Elders & disabled adults who would otherwise be placed in an off-reservation facility to receive nursing care services.

SERVICES PROVIDED BY NNHI, d.b.a-DGGSCH



*Administration-Oversee daily Operation

*Security-Maintain Safety

*Dietary-Provide 3 nutritious meals a day for Elders

*Housekeeping-Laundry & cleaning facility

*Activities-Provide various Activities for elders

*Maintenance-Preventive Maintenance of Facility/equipment

*Social Services-Assist elders and families with guidance, counseling, etc.

*Medical Doctor (Primary Care Providers)-Contract with IHS, Through a MOA with IHS, IHS provide Physician Assistants, Family Practitioners, Podiatry, Optometry, Dental, Audiology,Psych, Native Medicine, Emergency, other Rehabilitative Services (OT,SLP).

*Pharmacist-Contract with Pharmacy-Medication ordered by Doctors recommendations.

*Nursing-24/7 quality nursing care for elders per provider orders (IHS).

NNHI...OUR HOPE...OUR PRAYERS...

* NNHI Prayers became a Reality in 2019, when our new 80 beds facility was completed, which today provides a nice, safe, & comfortable home for our Elders. Our hope is...with the implementation of K'e', we reach out to our NN Council & NN President that NNHI be considered and supported, assisted & approved for funds under the Indian Self-Determination & Education Assistant Act (ISDEAA) of 1975, PL 93-638.

NNHI, d.b.a - DGGSCH PURPOSES AND CHALLENAGES

* Continue providing quality of care to our elders, as well as adults of various ages, who can no longer maintain their activities at a home setting.

* Continue bringing home Navajo elders who are currently placed outside the reservation, in border towns & place them in NNHI nursing home facility.

* Continue to Encourage & Request the NN Council & NN President to assist NNHI contract with Indian Health Services under the PL 93-638, ISDEAA for more funding.

* Continue to Encourage the NN Government to build, maintain & run their own Nursing Homes on the NN, instead of sending our elders off the NN.

Our Elders prayed for their children/grandchildren (us) to have an education and life of fulfillment. Let us come together and provide them a long overdue deserving and more comfortable HOME.



FOR THOSE OF YOU THAT HAVE FAMILY MEMBERS AT NNHI, d.b.a-DGGSCH NURSING HOME

We like to express how much we appreciate your trust in our deliverance of care for your loved ones during this pandemic. With much hard work and dedication, we will continue to deliver safe, and compassionate care for our Elders.

During the years many of our employees established a lifelong relationship with our Elders and we have seen the caring and commitment they make each day they come to care for them. Our Elders have touched our lives and have given us many joyful and loving memories throughout the years.

New memories are made each day, Today, please visit them and make a joyful memory that will be remembered by them and your family. They missed you and look out for your visits every day. Your visit will play a valuable role in their lives, and will be truly appreciated by your loves ones and the Nursing Home staff.

Please, remember to visit them, remember our doors are always open and you are always welcome.

Wayne Claw, CEO and NNHI Staff

EXHIBIT
tabbies B

Chinle Chapter Government

THE NAVAJO NATION

Dr. Rosanna Jumbo-Fitch PRESIDENT
Shawna Claw VICE PRESIDENT
RoAnn Burbank SECRETARY/TREASURER
Eugene Tso COUNCIL DELEGATE
Oscar Bia GRAZING COMMITTEE MEMBER

RESOLUTION OF THE CHINLE CHAPTER
CHINLE, ARIZONA
CHIN-APR-21-021

SUPPORTING TO APPROVE NNHI REQUEST TO THE NAVAJO NATION FOR $3.2 MILLION DOLLARS TO RENOVATE THE EXISTING ASSISTED LIVING BUILDING TO A 16 BED HOSPICE FACILITY.

WHEREAS:

1. Chinle Chapter, a recognized certified local government of the Navajo Nation, vested with the power and authority to advocate on behalf of its constituents for the improvement of health, education, safety, and general welfare; and

2. The Dr. Guy Gorman Senior Care Home (DGGSCH) was established for the sole purpose of providing adult care services to Navajo Elders and Disabled Adults who would otherwise be placed in an off-reservation private nursing home facility to receive nursing care services; and

3. The DGGSCH is Level 1, 2, & 3 certified nursing home under the State of Arizona Department of Health and Human Services for Medicare/Medicaid for the Federal Title XVII (Medicare) and Federal Title XIX (Medicare/Medicaid/AHCCCS) programs; and

4. NNHI realized a hospice (End of Life) facility is needed, where families can visit their loved ones near home instead of sending them off the Navajo Nation to unfamiliar facility; and

5. NNHI Hospice Facility will meet Center for Medicare/Medicaid Services (CMS) specification.

NOW, THEREFORE BE IT RESOLVED THAT:

1. Chinle Chapter supports to approve NNHI request for $3.2 million dollars to renovate the existing Assisted living building to a 16 bed Hospice Facility.

CERTIFICATION

We, hereby certify that the foregoing chapter resolution was duly considered by the Chinle Chapter at a duly called meeting in Chinle, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 16 in favor, 0 opposed, and 1 abstained, this 19th day of April 2021.

Motioned by: Tyrone Begay Seconded by: Jerrison Jumbo

Chinle Chapter Government

THE NAVAJO NATION

Dr. Rosanna Jumbo-Fitch
PRESIDENT

Shawna Claw
VICE PRESIDENT

RoAnn Burbank
SECRETARY/TREASURER

Eugene Tso
COUNCIL DELEGATE

Oscar Bia
GRAZING COMMITTEE MEMBER

Dr. Rosanna Jumbo-Fitch, President

Shawna A. Claw, Vice President

Roann Burbank, Secretary/Treasurer

PO Box 1809 Chinle, Arizona 86503 • P: (928) 674-2052 • F: (928) 674-2079 • chinle@navajochapters.org

RESOLUTION OF THE CHINLE AGENCY COUNCIL

RESOLUTION # CAC 04/21-06

SUPPORTING NNHI REQUEST TO THE UNITED STATES OF AMERICA DEPARTMENT OF HEALTH AND HUMAN SERVICES (USA-DHHS) AND THE NAVAJO AREA INDIAN HEALTH SERVICES (NAIHS) FOR PL 93-638 (Title I) FY 2022, 2023, 2024 & 2025 FUNDS FOR NAVAJOLAND NURSING HOME, INC.

WHEREAS:

1. Pursuant to IGRD-269-05, the Chinle Agency Council is a recognized political subdivision of the Navajo Nation and has the authority to advocate and make appropriate recommendations on behalf of the 20 Central Navajo Agency Chapters to the Navajo Nation Government, Federal, State, and local entities for appropriate action; and,
2. Pursuant to Title 26 NNC, Section B-1 & 2, the purpose of the Local Governance Act is to recognize at the local level and to delegate to chapter government with respect to local matters consistent with Navajo Nation laws including costume and tradition and to make decisions over local matters; and
3. The Chinle Agency Council consist of elected officials from all chapters within the agency; and
4. The Navajoland Nursing Home, Inc. (NNHI) DBA Dr. Guy Gorman Sr. Care Home (DGGGSCH) is the governing body as designated in the Articles of Corporation and its By-laws as a private and non-profit organization incorporated with the State of Arizona; and
5. The NNHI, DGGSCH under the entity of NNHI, was established for the sole purpose of providing adult care services to our eight (80) Navajo elders and disabled adults who would otherwise be placed in off-reservation facilities to receive nursing care services; and
6. The NNHI is certified under the State of Arizona Department of Health and Human Services for Medicare/Medicaid of the Federal XVII (Medicare) and Federal Title (Medicare/Medicaid/AHCCCS programs); and
7. The NNHI, the Navajo Nation Naa'bik'iyati' Committee through Legislation # NABIN-73-18, approved NNHI for PL93-638 funding from The United States of American Health and Human Services (USA-DHHS) and Navajo Area Indian Health Services (NAIHS) on November 29, 2019; and
8. The NNHI, Pursuant to NN pl93-638 Contract, NNHI requests Title I, FY funds from USA-DHHS, NAIHS to assist Elder Health Care on the Navajo Nation; and
9. The NNHI attached ther FY's budget request for 4 years under Title I, PL93-638 with USA-DHHS, NAIHS.

NOW THEREFORE LET IT BE RESOLVED:

The Chinle Agency Council approves and agrees to support NNHI Request Funds for FY 2022, 2023, 2024, & 2025 under PL93-638, Title I from USA-DHHS.

CERTIFICATION

We the under signed hereby certify that the forgoing resolution was duly considered at a duly called meeting of the Chinle Agency Council at Nazlini Chapter, Navajo Nation and the same was pass by a vote of ___27___ in favor, ___00____ opposed and __02_____ abstaining on 10th day of April, 2021.

Joseph Dedman Jr., President

Al Tsedah, Vice President

Dr. Rosanna Jumbo-Fitch, Secretary

GANADO CHAPTER

Willie Tracey Jr., Manager
Sandra Nelson, Administrative Assistant
Larry Tsosie, Projects Manager
Esther Kirk, Office Assistant

Vince R. James, President
Walter Jones, Vice-President
Richie Nez, Sr., Secretary/Treasurer
Alton J. Shepherd, Council Delegate
VACANT, Grazing Official

Post Office Box 188 Ganado, Arizona 86505 Telephone: (928) 755-5920 Facsimile: (928) 755-5927 Email: ganado@navajochapters.org

RESOLUTION No. GAN-071-2018

RESOLUTION OF THE GANADO CHAPTER

Respectfully Supporting and Recommending the Approval of the Navajoland Nursing Home, Inc., P.L. 93-638 Application and Authorization; Related Action

WHEREAS;

1. The Ganado Chapter is a duly certified local governing entity recognized by the Navajo Nation Council through 11 N.N.C. § 10(A), to advocate and address the needs and development of the local people to interact with other departments of the Navajo Nation, federal and local agencies which serve and affect the Navajo Nation; and

2. The Ganado Chapter is a Governance Certified Chapter of the Navajo Nation vested authority under 26 N.N.C. § 101 et. seq; and

3. The Navajoland Nursing Home, Inc., aka Chinle Nursing Home is pursuing Navajo Nation and federal government's authorization and designation as a P.L. 93-638 contractor of funds appropriated for and made available for delivery of residential care services to elderly Navajos and physically impaired adult Navajos who are required 24-hour / 7-days a week care and services; and

4. Care of and services to our elders and our vulnerable population are essential services that the Navajo Nation government and the Navajo People must provide daily without delay and as an on-going priority; and

5. Funds appropriated for care and service to our elders and our dependent members that Navajoland Nursing Home, Inc. receive are funds made available by the United States government and channeled through and distributed by the Navajo Nation Family Services program; and

6. There are constant delays of getting funds to Navajoland Nursing Home Inc. in a timely manner, delays cause uncertainty in the continuation of care and services that need to be delivered and has caused the Navajoland Nursing Home Inc. to cut back services, lay-off employees, and seriously consider terminating services to Navajo elders whose care and services are funded by these funds; and

7. P.L. 93-638 is for Indian Nations and Indian people to assume control and administration of programs and funds that the federal government has administered and controlled, but care of our elders an dependent members of our communities must always be within our control and administration; and

8. The Health, Education and Human Services Committee of the Navajo Nation Council has final authority to approve the 93-638 of Navajoland Nursing Home Inc. and authorize contracting entity, 2 N.N.C. § 401 (B) (4) (b). as amended; and

9. It is in the best interest of Ganado Chapter to support the Navajoland Nursing Home Inc. application and authorization and recommend the approval of the same by all governmental authorities.

NOW, THEREFORE BE IT RESOLVED THAT;

1. Ganado Chapter is respectfully hereby supports and recommends the approval of the Navajoland Nursing Home Inc., P.L. 93-638 application and authorization; and

2. The Ganado Chapter further urges the Navajo Nation and the United States government to grant Navajoland Nursing Home Inc., P.L. 93-638 contracting authority; and

3. The Ganado Chapter further details it's representation on the Navajo Nation Council to ensure intent and purpose of this resolution is hereon carried out,

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Ganado Chapter at a duly called meeting at Ganado, Navajo Nation, Arizona, at which a quorum was present and that same passed by a vote of 37 in favor, 0 opposed and 1 abstained on this 8th day of March, 2018.

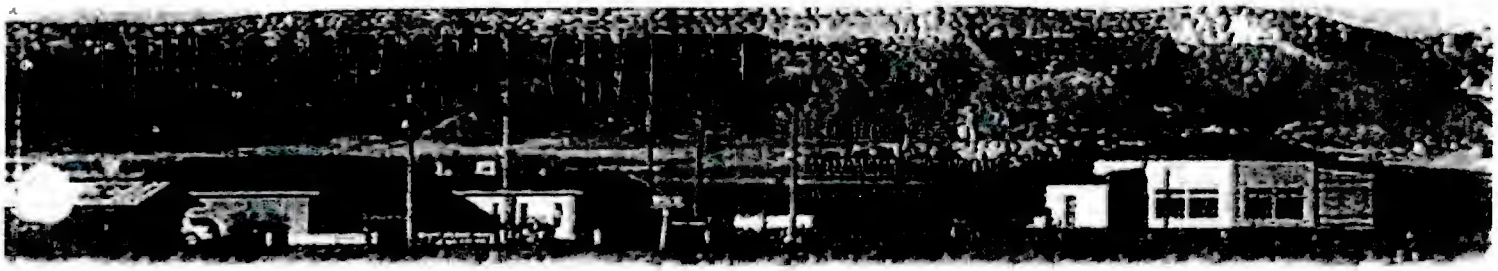
MOTION by: Cyndi Taylor

SECOND by: Wanda Bogay

Vince James, Chapter President
GANADO CHAPTER

ATTEST:

Richie Nez Sr., Secretary/Treasurer
GANADO CHAPTER



KEE ALLEN BEGAY, JR., COUNCIL DELEGATE VACANT, COMMUNITY SERVICES COORDINATOR

BGCH18-03-007

RESOLUTION OF THE BLUE GAP/TACHEE CHAPTER OF THE NAVAJO NATION

SUPPORTING AND RECOMMENDING THE APPROVAL OF THE NAVAJOLAND NURSING HOME, INC's P.L. 93-638 APPLICATION AND AUTHORIZATION; AND RELATED ACTIONS

WHEREAS:

1. The Blue Gap/ Tachee Chapter is duly established and recognized/certified local unit governmental of the Navajo Nation government, 26 N.N.C § 3; and
2. Pursuant to 26 N.N.C. § 103, as amended, the Blue Gap/Tachee Chapter has the power and authority to recommend budgetary and other matters that affect the Chapter; and
3. The Navajoland Nursing Home, Inc., aka Chinle Nursing Home, is pursing Navajo Nation and federal government's authorization and designation as a P.L. 93-638 contractor of funds appropriated for and made available for delivery of residential care services to elderly Navajos and physically impaired adult Navajos who are require 24-hours/7days a week care and services; and
4. The Navajo Nation Home, Inc., is the only residential care nursing home facility on the Navajo Nation that provides 24-hours 7-days a week care and services to elderly Navajos and physically impaired adult Navajos who require such care and services; and
5. Care of and services to our elders and our vulnerable population are essential services that the Navajo Nation government and the Navajo People must provide daily without delay and as an on-going priority; and
6. Funds appropriated for care and service to our elders and our dependent members that Navajoland Nursing Home receive are funds made available by the United State government and channeled through and distributed by the Navajo Nation Family Services program; and
7. There are constant delays of getting funds to Navajoland Nursing Home in a timely manner; and
8. The delays cause uncertainly in the continuation of care and services that need to be delivered and has caused the Navajoland Nursing Home to cut back services, lay-off employees, and seriously consider termination services to Navajo elders whose care and services are funded by these funds; and

9. The stated purpose of P.L. 93-638 is for Indian nations and Indian people to assume control and administration of programs and funds that the federal government has administer and controlled; and
10. Care of our elders and dependent members of our communities should always be within our control and our administration; and
11. The Health, Education and Human Services Committee of the Navajo Nation Council has final authority to approve the 93-638 application of Navajoland Nursing Home and authorize Navajoland Nursing Home as 93-638 contracting entity, 2 N.N.C. § 401 (B) (4) (b), as amended; and
12. It is in the best interest of the Blue Gap/Tachee Chapter that it supports the Navajoland Nursing Home's application and authorization and recommends the approval of the same by all governmental authorities.

THEREFORE, BE IT RESOLVED THAT:

A. The Blue Gap/ Tachee Chapter hereby support and recommend the approval of the Navajoland Nursing Home, Inc's P.L. 93-638 application and authorization.
B. The Blue Gap/Tachee Chapter further urges the Navajo Nation and the United States government to grant Navajoland Nursing Home, Inc., P.L. 93-638 contracting authority.
C. The Blue Gap/Tachee Chapter authorizes and directs the Blue Gap/Tachee Chapter officials and the Navajo Nation Council delegate representing Blue Gap/ Tachee Chapter t do any and all things necessary and proper to carry out the intent and purpose of this resolution.

Certification

I hereby certify that the foregoing resolution was duly by the Blue Gap/ Tachee Chapter at a duly called meeting held in Blue Gap, Arizona, at which a quorum was present, and the same was adopted by vote of 43 in Favor, 02 opposed and 07 abstention, this 09 day of March 2018.

Aaron P. Yazzie, Chapter President

Marcus Tulley, Chapter Vice-President

Betty V. Askie, Chapter Secretary/Treasurer

Benjamin Manycows, Grazing Representative

MOTION: Jackie Bowman

SECOND: Betty Askie

RESOLUTION OF THE
LOW MOUNTAIN CHAPTE OF THE NAVAJO NATION
LMC:

SUPPORTING AND RECOMENDING THE APPROVAL OF THE NAVAJOLAND NURSING HOME, INC's P.L. 93-638 APPLICATION AND AUTHORIZATION; AND RELATED ACTIONS

WHEREAS:

1. The Low Mountain Chapter is duly established and recognized/certified local unit governmental of the Navajo Nation government, 26 N.N. C. s 3; and

2. Pursuant to 26 N.N. C. s 103, as amended, the Low Mountain Chapter has the power and authority to recommend budgetary and other matters that affect the Chapter; and

3. The Navajoland Nursing Home, Inc, aka Chinle Nursing Home, is pursuing Navajo Nation and federal government's authorization and designation as a P.L. 93-638 contractor of funds appropriated for and made available for delivery of residential care services to elderly Navajos and physically impaired adult Navajos who are require 24-hours/7-days a week care and services; and

4. The Navajoland Nursing Home, Inc., is the only residential care nursing home facility on the Navajo Nation that provides 24-hours 7-days a week care and services to elderly Navajos and physically impaired adult Navajos who require such care and services, and

5. Care of the services to our elders and our vulnerable population are essential services that the Navajo Nation government and the Navajo People must provide daily without delay and as an on-going priority; and

6. Funds appropriated for care and service to our elders and our dependent members that Navajoland Nursing Home receive, and funds made available by the United States government and channeled through and distributed by the Navajo Nation Family Services programs; and

7. There are constant delays of getting funds to Navajoland Nursing Home in a timely manner; and

8. The delays cause uncertainty in the continuation of care and services that need to be delivered and has caused the Navajoland Nursing Home to cut back services, lay off employees, and seriously consider terminating services to Navajo elders whose care and services are funded by the funds; and

9. The stated purpose of P.L.93-638 is for Indian nations and Indian people to assume control and administration of programs and funds that the federal government has administer and controlled; and
10. Care of our elders and dependent members of our communities should always be within our control and our administration; and

11. The Health, Education and Human Services Committee of the Navajo Nation Council has final authority to approve the 93-638 application of Navajoland Nursing Home and authorize Navajoland Nursing Home as 93-638 contracting entity, 2 N.N.C. s 401 (B) (4) (b) , as amended; and

12. It is in best interest of the Low Mountain Chapter that is support the Navajoland Nursing Home's application and authorization and recommend the approval of the same by all governmental authorities.

WHEREFORE,

A. The Low Mountain Chapter hereby supports and recommends the approval of the Navajoland Nursing Home Inc's P.L. 93-638 application and authorization.

B. The Low Mountain Chapter further urges the Navajo Nation and the United States government to grant Navajoland Nursing Home Inc., P.L. 93-638 contracting authority

C. The Low Mountain Chapter authorizes and directs the Low Mountain Chapter Officials and the Navajo Nation Council delegate representing Low Mountain Chapter to do any and all things necessary and proper to carry out the intent and purpose of this resolution.

CERIFICATION

I hereby certify that the foregoing resolution was duly considered by the Low Mountain Chapter at a duly called meeting held in Low Mountain, Arizona , at which a quorum was present, and the same was adopted by a vote of 22 in favor, 00 opposed, and 05 abstention, this 14th day of March, 2018.

Samoson Begay; Chapter President

MANY FARMS CHAPTER GOVERNMENT
P.O. BOX 185
MANY FARMS, ARIZONA 86538
PHONE: (928) 781-3605 FAX: (928) 781-3608
Email: manyfarms@navajochapter.org

Kee Allen Begay Jr., Council Delegate

Katherine O. Arthur, President
Alferino Tsedah, Vice President
Jacqueline I. Begaye, Secretary/Treasurer

Vacant, CSC
Lewanda A. Ben, Acct. Maint. Spec.
Roland Tso, Grazing Representative

Resolution of the
Many Farms Chapter

MANY-20-03-12

TO SUPPORT AND APPROVE THE NAVAJOLAND NURSING HOME, INC'S CONTRACT APPLICATION WITH INDIAN HEALTH SERVICE UNDER P.L. 93-638 APPLICATION

WHEREAS:

1. Pursuant to CMY-23-79, the Many Farms Chapter is a certified chapter of the Navajo nation vested with authority and responsibilities to provide and enact on all matters affecting the community; and
2. Pursuant to CAP-34-98, the Navajo Nation Council adopted the Navajo Nation Local Governance Act (LGA) that allows Many Farms Chapter to make decisions over local matters; and
3. The Navajoland Nursing Home Inc. (aka Chinle Nursing Home) is pursuing Navajo Nation and federal government IHS's authorization to be designated as a P.L. 93-638 contractor of funds appropriated for and made available for delivery of residential care services to elderly Navajos and physically impaired adult Navajos who require 24 hours/7 days a week care and services; and
4. The Navajoland Nursing Home Inc., is the only residential care nursing home facility on the Navajo Nation that provides 24 hours a day/7 days a week care and services to elderly Navajos and physically impaired adult Navajos who require such care and services; and
5. Care of and services to our elders and our vulnerable population are essential services that the Navajo Nation government and the Navajo People must provide daily without delay and as an on-going priority; and
6. Funds appropriated for care and services to our elders and our dependent members that Navajoland Nursing Home receive are funds made available by the United States government and channeled through and distributed by the Navajo Nation Family Services program; and
7. Constant delays of getting funds to Navajoland Nursing in a timely manner causes uncertainty in the continuation of care and services that need to be delivered and has caused the Navajoland Nursing Home to cut back services, lay-off employees, and seriously consider terminating services to Navajo elders whose care and services are funded by these funds; and
8. The stated purpose of P.L. 93-638 is for Indian nations and Indian people to assume control and administration of programs and funds that the federal government has administer and controlled should be within local control and administration; and
9. The Health, Education and Human Services Committee of the Navajo Nation Council has final authority to approve the 93-638 application of Navajoland Nursing Home and authorize Navajoland Nursing Home as 93-638 contracting entity, 2 N.N.C§401 (B) (4) (b), as amended; and

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Many Farms Chapter hereby supports and approves the Navajoland Nursing Home, Inc.'s contract application with Indian Health Service under P.L. 93-638 Application.

CERTIFICATION

We, hereby certify that the foregoing resolution was considered by Many Farms Chapter at a duly called meeting in Many Farms, Navajo Nation (Arizona) at which a quorum was present and that the same was passed by a vote of 18 in favor, Ø opposed, and 3 abstained this 12th day of March 2018.

Motion: Joe Sam, Sr.

Second: Arnold Dan

Katherine O. Arthur, Chapter President

Aljerine Tsedah, Vice President

Jacqueline Begay, Secretary/Treasurer

Kee Allen Begay, Jr., Council Delegate

Roland Tso, Grazing Committee

RESOLUTION OF NAZLINI CHAPTER
NAZL-MAR-18-017

NAZLINI CHAPTER GOVERNMENT

LEE VINCENT BIGWATER
• PRESIDENT
JOSEPH DEDMAN, JR.
• VICE PRESIDENT
JOANN DEDMAN
• SECRETARY/TREASURER

KEE ALLEN BEGAY JR.
COUNCIL DELEGATE
IRVIN SHIRLEY
GRAZING REPRESENTATIVE
DANNY HALWOOD
CHAPTER MANAGER

SUPPORTING AND RECOMMENDING THE APPROVAL OF THE NAVAJOLAND NURSING HOME, INC'S P.L. 93-638 APPLICATION AND AUTHORIZATION; AND RELATED ACTIONS

WHEREAS:

1. The Nazlini Chapter is duly established and recognized/certified local unit governmental of the Navajo Nation Government, 26 N.N.C § 3; and

2. Pursuant to 26 N.N.C. § 103, as amended, the Nazlini Chapter has the power and authority to recommend budgetary and other matters that affect the Chapter; and

3. The Navajoland Nursing Home, Inc., aka Chinle Nursing Home, is pursuing Navajo Nation and federal government's authorization and designation as a P.L. 93-638 contractor of funds appropriated for and made available for delivery of residential care services to elderly Navajos and physically impaired adult Navajos who are required 24-hours/7-days a week care and services; and

4. The Navajoland Nursing Home, Inc., is the only residential care nursing home facility on the Navajo Nation that provides 24-hours/7 days a week care and services to elderly Navajos and physically impaired adult Navajos who require such care and services; and

5. Care of and services to our elders and our vulnerable population are essential services that they Navajo Nation Government and the Navajo people must provide daily without delay and as an on-going priority; and

6. Funds appropriated for care and service to our elders and our dependent members that Navajoland Nursing Home receive are funds made available by the United States Government and channeled and distributed by the Navajo Nation Family Services program; and

7. There are constant delays of getting funds to Navajoland Nursing Home in a timely manner; and

8. The delays cause uncertainty in the continuation of care and services that need to be delivered and has caused the Navajoland Nursing Home to cut back services, lay-off employees, and seriously consider terminating services to Navajo elders whose care and services are funded by these funds; and

9. The stated purpose of P.L. 93-638 is for Indian nations and Indian people to assume control and administration of programs and funds that the federal government has administer and controlled; and

10. Care of our elders and dependent members of our communities should always be written our control and our administration; and

11. The Health, Education, and Human Services Committee of the Navajo Nation Council has final *authority to approve the 93-638 contracting entity, 2 N.N.C. §401 (B) (4) (b), as amended; and*

12. It is the best interest of the Nazlini Chapter that it supports the Navajoland Nursing Home's application and authorization and recommends the approval of the same by all governmental authorities.

NOW, THERFORE BE IT RESOLVED THAT:

A. The Nazlini Chapter hereby supports and recommends the approval of the Navajoland Nursing Home, Inc's, P.L. 93-638 application and authorization.

B. The Nazlini Chapter further urges the Navajo Nation and the United States Government to grant Navajoland Nursing Home, Inc., P.L. 93-638 contracting authority

C. The Nazlini Chapter authorizes and directs the Nazlini Chapter officials and the Navajo Nation Council delegate representing Nazlini Chapter to do any and all things necessary and proper to carry out the intent and purpose of this resolution.

CERTIFICATION

We, hereby certify the foregoing resolution was duly considered by the Nazlini Chapter at the duly called Chapter Meeting at Nazlini, Navajo Nation, Arizona, at which a quorum was present and that same was passed by a vote of 30 in favor, 0 opposed, 3 abstained, this 15th day of March 2018.

Motion by: Minnie Wauneka

Seconded by: Patralina Begay

Lee Bigwater, Chapter President

Joseph Dedman Jr., Vice President

JoAnn Dedman, Secretary/Treasurer

Kee Allen Begay, Jr., Council Delegate



RESOLUTION OF THE TSELANI-COTTONWOOD CHAPTER

TSEL-18-461

SUPPORTING AND RECOMMENDING THE APPROVAL OF THE NAVAJOLAND NURSING HOME, INC'S P.L. 93-638 APPLICATION AND AUTHORIZATION AND RELATED ACTIONS

WHEREAS:

1. The Tselani-Cottonwood Chapter is governed the Navajo Nation Code Title 26 Local Governance Act as a unit of government with delegated authority to make decision over the local matters that are consistent with existing Navajo Laws including tradition; and

2. The Navajoland Nursing Home, Inc., aka Chinle Nursing Home, is pursuing Navajo Nation and federal government's authorization and designation as a P.L. 93-638 contractor of funds appropriated for and made available for delivery of residential care services to elderly Navajos and physically impaired adult Navajos who are require 24-hour/7 days a week care and services; and

3. The Navajoland Nursing Home, Inc., is the only residential are nursing home facility on the Navajo Nation that provides 24-hour 7-days a week care and services to elderly Navajos and physically impaired adult Navajos who require such care and services; and

4. Care of and services to our elders and out vulnerable population are essential services that the Navajo Nation government and the Navajo People must provide daily without delay and as an on–going priority; and

5. Funds appropriated for care and service to our elders and our dependent members that Navajoland Nursing Home receive are funds made available by the United States governments and channeled through and distributed by the Navajo Nation Family Services program; and

6. There are constant delays of getting funds to Navajoland Nursing Home in a timely manner; and

7. The delays cause uncertainty in the continuation of care and services that need to be delivered and has caused the Navajoland Nursing Home to cut back services, lay-off employees, and seriously consider terminating services to Navajo elders whose care and services are funded by these funds; and

8. The stated purpose of P.L. 93-638 is for Indian nations and Indian people to assume control and administration of programs and funds that the federal government has administer and controlled; and

9. Care of our elders and dependent members of our communities should always be within our control and administration; and

10. The Health, Education and Human Service Committee of the Navajo Nation Council has final authority to approve the 93-638 application of Navajoland Nursing Home and authorize Navajoland Nursing Home as 93-638 contracting entity, 2 N.N.C.§ 401 (B) (4) (b), as amended; and

11. It is in best interest of the Tselani/Cottonwood Chapter that it support the Navajoland Nursing Home's application and authorization and recommend the approval of the same by all governmental authorities.

NOW, THEREFORE, BE IT RESOLVED THAT:

The Tselani-Cottonwood Chapter Supports and Recommends the Approval of the Navajoland Nursing Home, Inc.'s P.L. 93-683 Application and Authorization and Related Actions.

CERTIFICATION

I, hereby, certify that the foregoing resolution was considered by Tselani-Cottonwood Chapter at a duly called meeting at Cottonwood, Navajo Nation (Apache, County, Arizona) at which a quorum was present and that same was passed by a vote of 15 in favor, 00 opposed and 20 abstained on this 22th day of July, 2018.

Motioned by Steven James

Seconded by Shawn Bergie

Thomas Gorman, Chapter President

Caroline Dale, Vice-President

Marlene Burbank, Sec/Treasurer

Kee Allen Begay, Jr., Council Delegate



NABIN-73-18

RESOLUTION OF THE
NAABIK'ÍYÁTI' STANDING COMMITTEE OF THE

23rd NAVAJO NATION COUNCIL -- Fourth Year, 2018

AN ACTION

RELATING TO NAABIK'ÍYÁTI'COMMITTEE; ACCEPTING THE RECOMMENDATION OF THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE AND GRANTING THE DESIGNATION OF "TRIBAL ORGANIZATION" TO THE NAVAJOLAND NURSING HOME, INC., FOR A PERIOD OF FOUR (4) YEARS, FOR THE PURPOSES OF CONTRACTING WITH THE UNITED STATES INDIAN HEALTH SERVICE AND AUTHORIZING THE NAVAJOLAND NURSING HOME, INC., TO NEGOTIATE AND ENTER INTO TITLE I, INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED) CONTRACTS AND TITLE V SELF-GOVERNANCE COMPACTS PURSUANT TO THE INDIAN SELF-DETERMINATION ACT (P.L. 93-638, AS AMENDED), SUCH DESIGNATION OF "TRIBAL ORGANIZATION" BEING REVOCABLE AND CONTINGENT ON CONTINUING COMPLIANCE WITH ALL TERMS AND CONDITIONS AS APPROVED BY THE HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE OF THE NAVAJO NATION COUNCIL

BE IT ENACTED:

SECTION ONE. AUTHORITY

A. Pursuant to Navajo Nation Council Resolution CJY-33-10 and the Navajo Nation Code at 2 N.N.C. Section Five (5) "References to previous Standing Committees" which states in part "References in the Navajo Nation Code…to Government Services and Intergovernmental Relations Committees shall mean the Naabik'íyáti' Committee…" the Naabik'íyáti' Committee of the Navajo Nation Council exercises the authority to authorize and approve additional tribal organizations that have received the recommendation and approval of the Health, Education and Human Services Committee of the Navajo Nation Council. *See* **Exhibit A.**

B. The Naabik'íyáti' Committee, upon recommendation of the Health, Education and Human Services Committee and the approval of the Navajo Nation Chapters to be served, is to act as the final authority for approving the revocable designation of "Tribal Organization" for purposes of contracting under the Indian Self-Determination Act (P.L. 93-638, as amended)

SECTION TWO. FINDINGS

A. The Navajoland Nursing Home, Inc., has requested to be designated a "tribal organization" for a period of four (4) years, for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self-Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended). As found within **Exhibit B.**

B. The Navajoland Nursing Home, Inc., was incorporated in the State of Arizona on February 18, 1982. ACC File No. 01450670. As found within **Exhibit B.**

C. The Navajoland Nursing Home, Inc., serves Navajo members representing 67 of the 110 Navajo Nation Chapters and supporting Chapter resolutions are attached within **Exhibit B.**

D. The Health, Education and Human Services Committee of the Navajo Nation Council through Resolution HEHSCO-23-18, has found it to be in the best interest of the Navajo Nation to approve and recommend to the Naabik'íyáti' Committee of the Navajo Nation Council that the Navajoland Nursing Home, Inc., be given the revocable designation of "tribal organization" for a period of four (4) years for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self-Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended), subject to the Terms and Conditions within the legislation herein attached at **Exhibit B.**

E. The Naabik'íyáti' Committee of the Navajo Nation Council finds it to be in the best interest of the Navajo Nation, upon approval and recommendation of the Health, Education and Human Services Committee (Committee), to approve giving the Navajoland Nursing Home, Inc., the revocable designation of "tribal organization" for a period of four (4) years for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self-Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended) and subject to the continuing compliance with the Terms and Conditions as approved and adopted by the Committee and herein attached and found within **Exhibit B.**

SECTION THREE. APPROVAL

The Naabik'íyáti' Committee of the Navajo Nation Council, upon approval and recommendation of the Health, Education and Human Services Committee (Committee), hereby approves giving the Navajoland Nursing Home, Inc., the revocable designation of "tribal organization" for a period of four (4) years for the purposes of contracting with the United States Indian Health Service and to negotiate and enter into Title I, Indian Self-Determination Act (P.L. 93-638, as amended) contracts and Title V Self-Governance Compacts pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended) and subject to the continuing compliance with the Terms and Conditions as approved and adopted by the Health, Education and Human Services Committee and herein attached as **Exhibit C** and found within at **Exhibit B.**

CERTIFICATION

I, hereby, certify that the foregoing resolution was duly considered by the Naabik'íyáti' Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 12 in Favor, and 00 Opposed, on this 29th day of November 2018.

LoRenzo C. Bates, Chairman
Naabik'íyáti' Committee

Motioned: Honorable Alton Joe Shepherd
Second : Honorable Jonathan Perry

Chairman LoRenzo C. Bates not voting



NAVAJO NATION CONDITIONS FOR DESIGNATION AS

TRIBAL ORGANIZATION FOR HEALTH CARE PURSUANT TO

INDIAN SELF-DETERMINATION ACT

(P.L. 93-638 AS AMENDED)

Navajo Nation Conditions for

Designation as Tribal Organization for Health Care Pursuant to the Indian Self-Determination Act (P.L. 93-638, as amended)

The Navajo Nation and the designated "Tribal Organizations" shall cooperate under the principles of Ké to ensure that the health care needs of all Navajo citizens are fully met.

The designation of "Tribal Organization" for participation in the Indian Self-Determination Act (P.L. 93-638 as amended) is a revocable designation and is conditioned on the continued, ongoing and full compliance with the terms and conditions as set forth below:

1. The designated "Tribal Organization"
   Must qualify as a participant under the Indian Self Determination Act (P.L. 93-638, as amended) as follows:
   (A) Completing, to the satisfaction of the Health, Education and Human Services Committee and the Naabik'iyati' Committee of the Navajo Nation Council, a planning phase as described under the Act and which includes:
      (1) Legal and budgetary research; and
      (2) Internal tribal government planning and organizational preparation relating to the administration of health care programs.
   (B) Requesting participation Title V, Self-Governance, by resolution of the Health, Education and Human Services Committee and the Naabik'iyati' Committee of the Navajo Nation Council; and
   (C) Demonstrating financial stability and financial management capability for the three (3) fiscal years immediately preceding the application for Title V, Self-Governance.
2. The designated Tribal Organization shall maintain its eligibility for third party payments under the Centers for Medicare and Medicaid Services (CMS).

3. The designated Tribal Organization shall maintain continued accreditation by a nationally recognized accreditation program.

4. The designated Tribal Organization shall operate and administer their Self-Governance Compact programs under the oversight of the Health, Education and Human Services Committee

5. The designated Tribal Organization shall appear before and report to the Health Education and Human Services Committee and the Naabik'iyati Committee of the Navajo Nation Council whenever requested to do so

6. The designated Tribal Organization shall maintain compliance with all monitoring and reporting requirements duly established by the Health, Education and Human Services Committee, including:

(A) Submission to the Health, Education and Human Services Committee of copies upon receipt, of all final Federal Single Audit Act audit reports, including Audited Financial Statements, and final survey reports issued by its nationally recognized accreditation organizations(s) and all associated corrective action plans, with copies to the Navajo Nation Department of Health.

(B) Submission of copies of the Self-Governance Compact and all Annual Funding Agreements to the Navajo Nation Department of Health.

(C) Submission of copies of the designated "Tribal Organization's" Annual Report, upon acceptance of same by the "Tribal Organization", to the Health, Education and Human-Services Committee and to the Navajo Nation Department of Health. The format, criteria and due date of the Annual report shall be determined by the Health, Education and Human Services Committee.

(D) Submission of a listing of the Board of Directors-identified by Chapter, description of method of selection of Board, length of term and by-laws.

7. The designated "Tribal Organization" shall maintain continued compliance with all applicable Navajo Nation laws and regulations, including, but not limited to, the Navajo Preference in Employment Act and shall provide a report on employment compliance to the Health, Education and Human Services Committee annually and upon request.

8. The designated "Tribal Organization" shall maintain compliance with all applicable Navajo Nation Health care policies and priorities duly adopted by the Health and Social Services Committee and shall demonstrate the establishment and operation of a traditional medicine program as an integral component of the provision of health care.

9. The designated "Tribal Organization" will consult and cooperate with the Navajo Nation Department of Health concerning the public health needs and programs of the Navajo Nation.

10. The designated "Tribal Organizations" and Navajo Nation Department of Health shall timely develop and on-going written policy for consultation on matters of public health and have such policy approved by the Health, Education and Human Services Committee.

11. The designated "Tribal Organizations" and Navajo Nation Department of Health and Navajo Nation Department of Emergency Medical Service shall enter Memorandum of Understandings for the Navajo Nation's use and occupancy of the designated Tribal Organization's facilities as long as such use and occupancy does not interfere with direct care services.

12. The designated "Tribal Organization", in its dealings with the federal and state government, be it lobbying, advocacy, litigation, or negotiating efforts, shall only take positions or make arguments, consistent with official published Navajo Nation positions The designated "Tribal Organization" shall report and consult with the Health, Education and Human Services Committee prior to such undertakings.

13. The designated "Tribal Organization" shall not directly charge any tribal member for health care services nor charge the Navajo Nation Employee Benefit Plan or Workers Compensation Plan for health care services provided to a covered tribal member unless the Indian Health Service would be able to charge the tribal member for the same service under the same circumstances unless otherwise authorized by the Naabik'iyati' Committee of the Navajo Nation Council.

14. The designated "Tribal Organization" shall provide direct patient care to all Native American eligible users unless otherwise authorized by the Naabik'iyati' Committee of the Navajo Nation Council.

HEALTH, EDUCATION AND HUMAN SERVICES COMMITTEE
Regular Meeting
June 16, 2021

Legislation No. 0090-21: An Action Relating to Health, Education and Human Services Committee; Recommending for Approval of the Naabik'íyáti Committee the Designation of the NavajoLand Nursing Home, Inc. as a Navajo Nation "Tribal Organization" for the Purposes of Contracting with the United States Indian Health Service and Authorizing it to Negotiate and Enter into Title I, Indian Self-Determination Act (P.L. 93-638, as Amended) Contracts and Title V Self Governance Compacts Pursuant to the Indian Self-Determination Act (P.L. 93-638, as Amended), Such Designation of "Tribal Organization" Being Revocable and Contingent on Compliance with all Terms and Conditions as Required
Sponsor: Daniel E. Tso, Council Delegate and Edison J. Wauneka, Council Delegate

VOTE TALLY SHEET:

Main Motion:
Motion: Honorable Pernell Halona
Second: Honorable Paul Begay, Jr.

Yea: Paul Begay, Jr.; Pernell Halona; Edison J. Wauneka
Nay: None
Not Voting: Daniel E, Tso (Presiding Chair)
Excused: Charlaine Tso; Carl R. Slater
Absent:
Vote: 3-0-3

Daniel E. Tso, Chairman
Health, Education and Human Services Committee
24th Navajo Nation Council

Angelita Benally, Legislative Advisor
Health, Education and Human Services Committee
Office of Legislative Services