LEGISLATIVE SUMMARY SHEET

Tracking No. 0156-20

DATE: June 30, 2020

TITLE OF RESOLUTION: AN ACTION RELATING TO LAW AND ORDER; AMENDING PLAN OF OPERATION FOR THE NAVAJO NATION DEPARTMENT OF EMERGENCY MEDICAL SERVICE

PURPOSE: This resolution, if adopted, would amend the Plan of Operation for the Navajo Nation Department of Emergency Medical Service.

.

This written summary does not address recommended amendments as may be provided by the standing committees. The Office of Legislative Counsel requests each Council Delegate to review each proposed resolution in detail.

5-DAY BILL HOLD PERIOD: J.Johnson
Website Posting Time/Date: 3:20pm 07-10-20
Posting End Date: 07-15-20
Eligible for Action: 07-16-20

Law & Order Committee

PROPOSED STANDING COMMITTEE RESOLUTION

24th NAVAJO NATION COUNCIL -- Second Year, 2020

INTRODUCED BY

(Prime Sponsor)

TRACKING NO. 0156-20

AN ACTION

RELATING TO LAW AND ORDER; AMENDING PLAN OF OPERATION FOR THE NAVAJO NATION DEPARTMENT OF EMERGENCY MEDICAL SERVICE

BE IT ENACTED:

SECTION ONE. AUTHORITIES

A. The Law and Order Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600 (A).

B. The Law and Order Committee has oversight over the Navajo Division of Public Services and all departments thereunder. 2 N.N.C. § 601(C)(1). As oversight, the committee, pursuant to 2 N.N.C. § 601 (B)(4), is authorized to approve and amend plans of operation for programs over which it exercises oversight authority.

SECTION TWO. FINDINGS

A. The Navajo Department of Emergency Medical Services (EMS) is established as a department within the Navajo Nation Division of Public Services. EMS provides emergency transport and medical services, among other duties and responsibilities.

B. The Department of Emergency Management has updated its Plan of Operation. The amendments have been reviewed by the Navajo Department of Justice and Office of Legislative Counsel. The proposed amendments are sufficient.

C. The Navajo Nation finds it in the best interest of the Navajo Nation to approve the recommended amendments to the Plan of Operation as submitted by Navajo Nation Department of Emergency Medical Services as attached hereto as Exhibit A.

SECTION THREE. APPROVING AMENDMENTS TO PLAN OF OPERATION FOR DEPARTMENT OF EMERGENCY MEDICAL SERVICES

The Navajo Nation hereby approves amendments to the Plan of Operation for the Navajo Nation Department of Emergency Medical Services as attached hereto as Exhibit A.

Exhibit A

NAVAJO DEPARTMENT OF EMERGENCY MEDICAL SERVICE PLAN OF OPERATION

I. ESTABLISHMENT

There is hereby established the Navajo Department of Emergency Medical Services within the Navajo Division of Public Safety.

II. PURPOSE AND OBJECTIVES

The Navajo Department of Emergency Medical Service is a dedicated, progressive service focused on quality care. Expanded advanced life support capabilities and transport services are pre-eminent. The department consists of a well-organized structure of dedicated personnel determined to provide elite services within the Territorial jurisdiction of the Navajo Nation as defined by Title 7 N.C.C. §254 and 18 U.S.C. Section 1151.

III. STAFFING AND ORGANIZATION

A. PERSONNEL

1. All personnel shall be employed and compensated in accordance with the Navajo Nation Personnel Policies Manual.

2. The Department Manager of the Navajo Department of Emergency Medical Service shall be selected by the Division Director of the Navajo Division of Public Safety, in accordance with the established Navajo Nation Personnel Policies Manual.

3. The Navajo Department of Emergency Medical Service shall be staffed sufficiently to accomplish the purposes and objectives as stated herein.

4. The Department Manager shall be authorized to make decisions regarding additional professional, technical and clinical positions as needed to carry out the organizational purposes and objectives as stated herein.

B. ORGANIZATION

The Navajo Department of Emergency Medical Service organizational chart is displayed as "Attachment 1."

IV. AUTHORITY AND RESPONSIBILITY

A. The authorities and responsibilities of the Navajo Department of Emergency Medical Service shall include, but are not limited to, the following:

1. To ensure response to calls requesting medical assistance within the territorial jurisdiction of the Navajo Nation.

2. To utilize mobile radios, portable radios, satellite and cellular phones to communicate with emergency rooms, local law enforcement, fire department and other emergency first responder systems.

3. To provide ground-based transportation with accessibility to air support.

4. To act in good faith by mutual agreement with Navajo Area Indian Health Services and P.L. 93-638 Contract Facilities to carry out agreements and or contracts.

5. To encourage and assist the community to participate in the Emergency Medical Service System.

6. To maintain the department's relationship with neighboring public safety systems or governmental agencies (Federal, State, County or Private) for the exchange of service coverage, communication linkages, certification and licensure accountability, funding and reimbursement concerns.

7. To adhere to protection of patient information as mandated by applicable laws including the Health Insurance Portability Accountability Act of 1996 and the Navajo Nation Privacy Act.

8. To promote and conduct public awareness and educational programs.

9. To maintain accountability and proper management over fiscal matters pursuant to established guidelines of the Navajo Nation.

10. To respond to natural or man-made emergency situations in conjunction with Navajo Nation, local, county and state agencies.

11. To establish Mutual Aid Agreements with neighboring public safety or governmental agencies (Navajo Nation, Federal, State, County or Private) for service coverage, and or communication links.

12. To administer internal and external-funded projects in all applicable Navajo Nation and federal laws and policies.

13. To seek and secure funding from Navajo Nation, federal, state, and other agencies.

14. To provide administrative, operational, technical support, and training to all Department of Emergency Medical Service sections.

15. To develop, update, and implement short and long range strategic initiatives, plans, research, evaluation, quality control, and performance improvement activities.

16. To develop and implement a reimbursement system by which to bill for and collect third party revenue, for allowable cost of program, services, functions, and activities.

17. To develop and implement a intra-facility/inter-facility ground transport system. Establish agreements or contracts with governmental agencies (Federal, State, County, Tribal or Private) for such services.

B. The authorities and responsibilities of the Department Manager of the Navajo Department of Emergency Medical Service shall include, but are not limited to, the following:

1. Report to the Division Director.

2. Develop policies, procedures, standards and protocols for an effective, efficient and adequate management for the Department of Emergency Medical Service. To take appropriate actions to achieve the Department's purpose.

3. Perform periodic review and evaluation for personnel and the Department of Emergency Medical Service programs, services and offices. -

4. Develop annual fiscal operating budgets for approval by the Executive Brach of the Navajo Nation, legislative oversight committee, and Navajo Nation Council.-

5. Represent the Department of Emergency Medical Service at the Navajo Nation, local, state, and federal levels as authorized.

V. LEGISLATIVE OVERSIGHT

The Navajo Department of Emergency Medical Service, Navajo Division of Public Safety, shall operate under the legislative oversight of the Law and Order Committee of the Navajo Nation Council, pursuant to the powers granted that Committee in Title 2 N.N.C. § 601 *et seq*.

VI. AMENDMENTS

A. For purposes of maintaining provisions up-to-date, the department shall review its Plan of Operation at least every five years, beginning January 2020. It shall recommend any necessary amendments.

B. Pursuant to 2 N.N.C. § 601, this Plan of Operation may be amended from time to time by the Law and Order Committee of the Navajo Nation Council as deemed appropriate.

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Honorable Delegate Nathaniel Brown
24th Navajo Nation Council

FROM : _____
Chris Kescoli, EMT Supervisor/Delegate FOO-West
NDPS/Department of Emergency Medical Service
Office of Field Operations

DATE : February 26, 2020

SUBJECT : **Request for Sponsorship**
Re: Plan of Operation-Amended

The Navajo Department of Emergency Medical Service (EMS) is requesting sponsorship for EMS's amended Plan of Operation, before the Law and Order Committee. EMS has prepared and submitted this amended Plan of Operation pursuant to the 2 NN § 164 Review. You may find the attached supporting documents for legislation review and consideration.

If you should have any questions or concerns, you may contact me at (928) 697-5724 or by email at ckescoli@navajo-nsn.gov.

CONCURRENCE:

_____
Henry Wallace, Department Manager III
Department of Emergency Medical Service

xc: FILE
Jesse Delmar, Executive Director

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : **TO WHOM IT MAY CONCERN**

FROM :

Henry Wallace, Department Manager III
EMERGENCY MEDICAL SERVICE
DIVISION OF PUBLIC SAFETY

DATE : January 1, 2020

SUBJECT : ***STANDING DELEGATION OF AUTHORITY***

This is notification that the following personnel have signature authority for Navajo Emergency Medical Service/Division of Public Safety, in my absence. They shall have the authority to administer, oversee, and monitor routine tasks in carrying out all the duties and responsibilities associated with this office. This delegation is not transferrable and shall not be sub-delegated.

ACKNOWLEDGED:

1. _____ Date: 08JAN2020
Penny M. Hoskie-Johnson, Programs & Projects Specialist
EMERGENCY MEDICAL SERVICE

2. _____ Date: 1/7/2020
Ramone H. Yazzie, Sr., Admin. Service Officer
Office of Training & Technical Assistance

3. Barbara J Shondee Date: 1·7·2020
Barbara J Shondee, Administrative Assistant
EMERGENCY MEDCIAL SERVICE

Your utmost cooperation and adherence is greatly appreciated. Should you have questions or concerns, please contact this office at 928/871-6410.

DISTRIBUTION
File/chrono

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Chris Kescoli, EMT Supervisor
Kayenta EMS Field Office
EMERGENCY MEDICAL SERVICE

FROM : _____
Henry Wallace, Department Manager III
EMERGENCY MEDICAL SERVICE
DIVISION OF PUBLIC SAFETY

DATE : January 31, 2020

SUBJECT : ***DELEGATION OF AUTHORITY***

This shall serve as a notification you are hereby Delegated as the Field Operations Officer/West, to be effective on Monday, February 3, 2020 at 8:00 a.m. This Delegation will remain in effect until further notice.

You shall have the authority to administer, oversee, and monitor routine tasks in carrying out all the duties and responsibilities associated with the Western EMS Field offices. This delegation is not transferrable and shall not be sub-delegated.

Your utmost cooperation and adherence is greatly appreciated. Should you have questions or concerns, please contact this office at 928/871-6410.

DISTRIBUTION
File/chrono

NAVAJO DEPARTMENT OF EMERGENCY MEDICAL SERVICE
PLAN OF OPERATION

I. ESTABLISHMENT

There is hereby established the Navajo Department of Emergency Medical Services within the Navajo Division of Public Safety.

II. PURPOSE AND OBJECTIVES

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16. To develop and implement a reimbursement system by which to bill for and collect third party revenue, for allowable cost of program, services, functions, and activities.

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1. Report to the Division Director.

2. Develop policies, procedures, standards and protocols for an effective, efficient and adequate management for the Department of Emergency Medical Service. To take appropriate actions to achieve the Department's purpose.

3. Perform periodic review and evaluation for personnel and the Department of Emergency Medical Service programs, services and offices.

4. Develop annual fiscal operating budgets for approval by the Executive Brach of the Navajo Nation, legislative oversight committee, and Navajo Nation Council.

5. Represent the Department of Emergency Medical Service at the Navajo Nation, local, state, and federal levels as authorized.

V. LEGISLATIVE OVERSIGHT

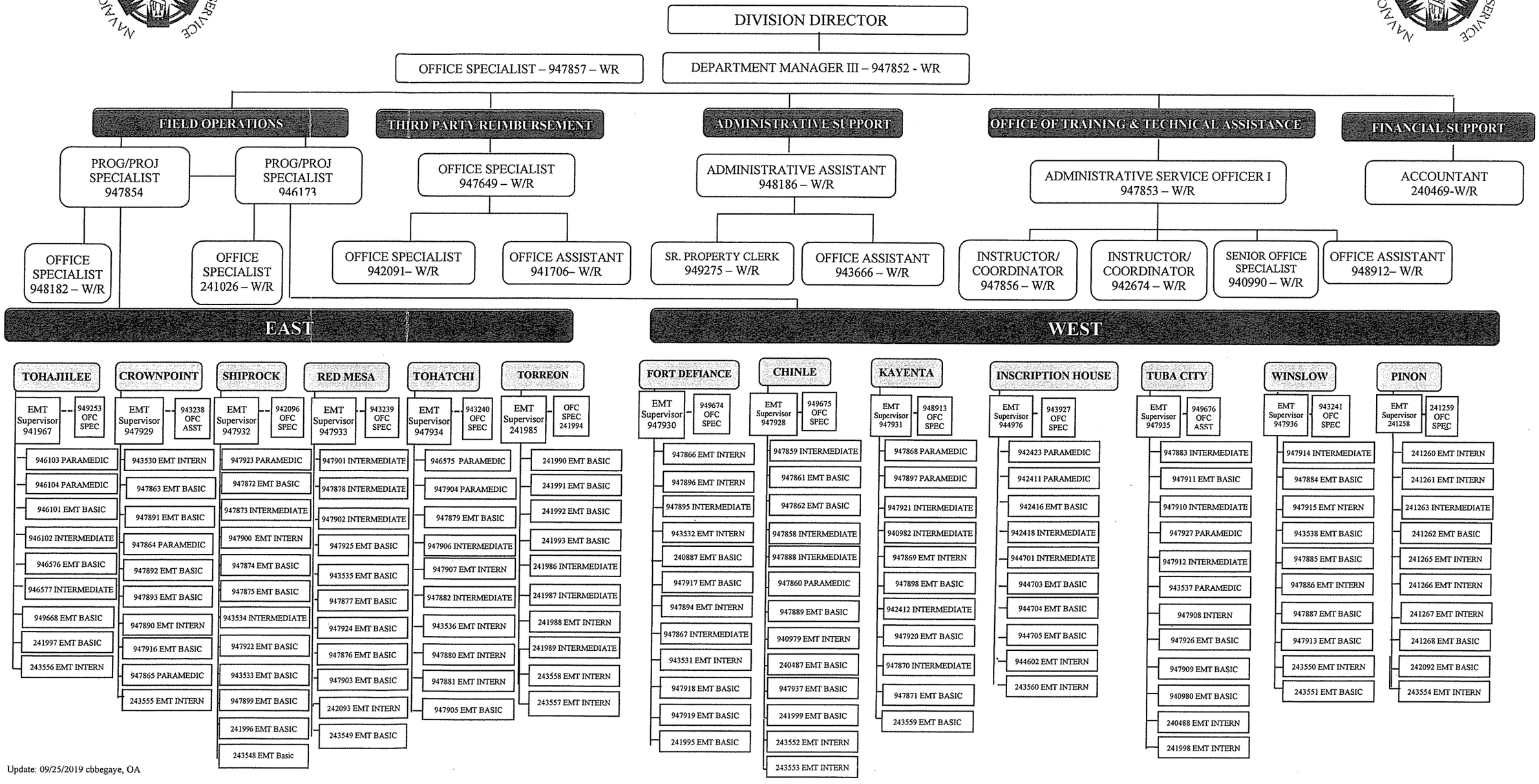
The Navajo Department of Emergency Medical Service, Navajo Division of Public Safety, shall operate under the legislative oversight of the Law and Order Committee of the Navajo Nation Council, pursuant to the powers granted that Committee in Title 2 N.N.C. § 601 et seq.

VI. AMENDMENTS

A. For purposes of maintaining provisions up-to-date, the department shall review its Plan of Operation at least every five years, beginning January 2020. It shall recommend any necessary amendments.

B. Pursuant to 2 N.N.C. § 601, this Plan of Operation may be amended from time to time by the Law and Order Committee of the Navajo Nation Council as deemed appropriate.

NAVAJO NATION
DIVISION OF PUBLIC SAFETY
DEPARTMENT OF EMERGENCY MEDICAL SERVICE
ORGANIZATIONAL CHART 2019



Update: 09/25/2019 cbbegaye, OA

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : Section 164 Reviewers

FROM :

Henry Wallace, Department Manager III
Department of Emergency Medical Service
Division of Public Safety

DATE : September 25, 2019

SUBJECT : **Plan of Operation**
Re: Document #013471

Pursuant to 2 N.N.C § 164 Executive Official Review, please find the attached proposed amendments to the Plan of Operation for the Navajo Department of Emergency Medical Service (NDEMS).

NDEMS has prepared the document for review with plans implement the Plan of Operation, effective January 2020, contingent approval by the NN Council Standing Committees.

If you should have any questions or concerns, please contact our office immediately at (928) 871-6410.

xc: FILE

Document No. 013471 Date Issued: 09/25/2019

EXECUTIVE OFFICIAL REVIEW

Title of Document: Plan of Operations Contact Name: KESCOLI, CHRIS CHANNING

Program/Division: DIVISION OF PUBLIC SAFETY

Email: ckescoli@navajo-nsn.gov Phone Number: 928.697.4075

			Sufficient	Insufficient
☐	**Business Site Lease**			
	1. Division:	Date:	☐	☐
	2. Office of the Controller:	Date:	☐	☐
	(only if Procurement Clearance is not issued within 30 days of the initiation of the E.O. review)			
	3. Office of the Attorney General:	Date:	☐	☐
☐	**Business and Industrial Development Financing, Veteran Loans, (i.e. Loan, Loan Guarantee and Investment) or Delegation of Approving and/or Management Authority of Leasing transactions**			
	1. Division:	Date:	☐	☐
	2. Office of the Attorney General:	Date:	☐	☐
☐	**Fund Management Plan, Expenditure Plans, Carry Over Requests, Budget Modifications**			
	1. Office of Management and Budget:	Date:	☐	☐
	2. Office of the Controller:	Date:	☐	☐
	3. Office of the Attorney General:	Date:	☐	☐
☐	**Navajo Housing Authority Request for Release of Funds**			
	1. NNEPA:	Date:	☐	☐
	2. Office of the Attorney General:	Date:	☐	☐
☐	**Lease Purchase Agreements**			
	1. Office of the Controller:	Date:	☐	☐
	(recommendation only)			
	2. Office of the Attorney General:	Date:	☐	☐
☐	**Grant Applications**			
	1. Office of Management and Budget:	Date:	☐	☐
	2. Office of the Controller:	Date:	☐	☐
	3. Office of the Attorney General:	Date:	☐	☐
☒	**Five Management Plan of the Local Governance Act, Delegation of an Approving Authority from a Standing Committee, Local Ordinances (Local Government Units), or Plans of Operation/Division Policies Requiring Committee Approval**			
	1. Division:	Date: 9/26/19	☒	☐
	2. Office of the Attorney General:	Date: 10/2/19	☒	☐
☐	**Relinquishment of Navajo Membership**			
	1. Land Department:	Date:	☐	☐
	2. Elections:	Date:	☐	☐
	3. Office of the Attorney General:	Date:	☐	☐

Pursuant to 2 N.N.C. § 164 and Executive Order Number 07-2013

☐ **Land Withdrawal or Relinquishment for Commercial Purposes**

			Sufficient	Insufficient
1. Division:	_____	Date: _____	☐	☐
2. Office of the Attorney General:	_____	Date: _____	☐	☐

☐ **Land Withdrawals for Non-Commercial Purposes, General Land Leases and Resource Leases**

1. NLD	_____	Date: _____	☐	☐
2. F&W	_____	Date: _____	☐	☐
3. HPD	_____	Date: _____	☐	☐
4. Minerals	_____	Date: _____	☐	☐
5. NNEPA	_____	Date: _____	☐	☐
6. DNR	_____	Date: _____	☐	☐
7. DOJ	_____	Date: _____	☐	☐

☐ **Rights of Way**

1. NLD	_____	Date: _____	☐	☐
2. F&W	_____	Date: _____	☐	☐
3. HPD	_____	Date: _____	☐	☐
4. Minerals	_____	Date: _____	☐	☐
5. NNEPA	_____	Date: _____	☐	☐
6. Office of the Attorney General:	_____	Date: _____	☐	☐
7. OPVP	_____	Date: _____	☐	☐

☐ **Oil and Gas Prospecting Permits, Drilling and Exploration Permits, Mining Permit, Mining Lease**

1. Minerals	_____	Date: _____	☐	☐
2. OPVP	_____	Date: _____	☐	☐
3. NLD	_____	Date: _____	☐	☐

☐ **Assignment of Mineral Lease**

1. Minerals	_____	Date: _____	☐	☐
2. DNR	_____	Date: _____	☐	☐
3. DOJ	_____	Date: _____	☐	☐

☐ **ROW (where there has been no delegation of authority to the Navajo Land Department to grant the Nation's consent to a ROW)**

1. NLD	_____	Date: _____	☐	☐
2. F&W	_____	Date: _____	☐	☐
3. HPD	_____	Date: _____	☐	☐
4. Minerals	_____	Date: _____	☐	☐
5. NNEPA	_____	Date: _____	☐	☐
6. DNR	_____	Date: _____	☐	☐
7. DOJ	_____	Date: _____	☐	☐
8. OPVP	_____	Date: _____	☐	☐

☐ **OTHER:**

1. _____	_____	Date: _____	☐	☐
2. _____	_____	Date: _____	☐	☐
3. _____	_____	Date: _____	☐	☐
4. _____	_____	Date: _____	☐	☐
5. _____	_____	Date: _____	☐	☐

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT

MEMORANDUM

TO : TO WHOM IT MAY CONCERN

FROM: _____
Jesse Delmar, Division Director
Division of Public Safety

DATE : January 28, 2019

SUBJECT: **STANDING DELEGATION OF AUTHORITY**

This is notification that the following personnel have signature authority for Navajo Division of Public Safety, in my absence. They shall have the authority to administer, oversee, and monitor routine tasks in carrying all the duties and responsibilities associated with this office. This delegation is not transferable and shall not be sub-delegated.

ACKNOWLEDGED:

1. _____
Phillip B. Francisco, Chief of Police
Navajo Police Department

2. _____
Dale West, (D) CI Director
Department of Criminal Investigations

3. _____
Delores Greyeyes, PhD Director
Department of Corrections

If you have any questions, please contact our office at 928-871-6581.

DISTRIBUTION
xc: file

NAVAJO NATION DEPARTMENT OF JUSTICE

☐ RESUBMITTAL

DOCUMENT REVIEW REQUEST FORM

RECEIVED
SEP 30 2019
DEPARTMENT OF JUSTICE
RECEPTIONIST DESK

DOJ
9-30-19 2:10
DATE / TIME
☐ 7 Day Deadline
DOC #: 013171
SAS #:
UNIT: Hon.

*** FOR NNDOJ USE ONLY - DO NOT CHANGE OR REVISE FORM. VARIATIONS OF THIS FORM WILL NOT BE ACCEPTED. ***

CLIENT TO COMPLETE

DATE OF REQUEST:	9/30/2019	DIVISION:	Public Safety
CONTACT NAME:	Martina R. Jesus	DEPARTMENT:	Emergency Medical Services
PHONE NUMBER:	928.871.7788/6410	E-MAIL:	mjesus@navajo-nsn.gov
TITLE OF DOCUMENT:	Plan of Operations		

DOJ SECRETARY TO COMPLETE

DATE/TIME IN UNIT: 10/1/19 @ 1:54 REVIEWING ATTORNEY/ADVOCATE: Daniel Watts

DATE TIME OUT OF UNIT:

DOJ ATTORNEY / ADVOCATE COMMENTS

Legally sufficient

REVIEWED BY: (*Print*)	Date / Time	SURNAMED BY: (*Print*)	Date / Time
Dan Watts	2oct19 4:15pm	Kandis Martin	10/2/19 5:02 pm

DOJ Secretary Called: Cheryl for Document Pick Up on 10/3/19 at 2pm By: Jen

PICKED UP BY: (*Print*) DATE / TIME:

Office of Legislative Counsel
Telephone: (928) 871-7166
Fax # (928) 871-7576



Honorable Seth Damon
Speaker
24th Navajo Nation Council

MEMORANDUM

To : Hon. Nathaniel Brown, Delegate
Navajo Nation Council

From : Dana Bobroff
Ron Haven, Attorney
Office of Legislative Counsel

Date : June 30, 2020

Re : AN ACTION RELATING TO LAW AND ORDER; AMENDING PLAN OF OPERATION FOR THE NAVAJO NATION DEPARTMENT OF EMERGENCY MEDICAL SERVICE

As requested, I have prepared the above-referenced proposed resolution and associated legislative summary sheet pursuant to your request for legislative drafting. As to format, the resolution as drafted is legally sufficient. Regarding substance, as with any legislation, it can be subject to review by the courts in the event of proper challenge. Please ensure that this particular resolution request is precisely what you want.

If you are satisfied with the proposed resolution, please sign it as "sponsor" and submit it to the Office of Legislative Services where it will be given a tracking number and sent to the Office of the Speaker for assignment. If the proposed resolution is unacceptable to you, please contact me at the Office of Legislative Counsel and advise me of the changes you would like made to the proposed resolution. Ahéhee'.

OLC # 20-197-1

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW PUBLICATION

LEGISLATION NO: _0156-20__ **SPONSOR: Nathaniel Brown**

TITLE: An Action Relating to Law and Order; Amending Plan of Operation for the Navajo Nation Department of Emergency Medical Service

***Date posted*: July 10, 2020 at 3:20PM**

Digital comments may be e-mailed to comments@navajo-nsn.gov

Written comments may be mailed to:

Executive Director
Office of Legislative Services
P.O. Box 3390
Window Rock, AZ 86515
(928) 871-7586

Comments may be made in the form of chapter resolutions, letters, position papers, etc. Please include your name, position title, address for written comments; a valid e-mail address is required. Anonymous comments will not be included in the Legislation packet.

Please note: This digital copy is being provided for the benefit of the Navajo Nation chapters and public use. Any political use is prohibited. All written comments received become the property of the Navajo Nation and will be forwarded to the assigned Navajo Nation Council standing committee(s) and/or the Navajo Nation Council for review. Any tampering with public records are punishable by Navajo Nation law pursuant to 17 N.N.C. *§374 et. seq.*

THE NAVAJO NATION
LEGISLATIVE BRANCH
INTERNET PUBLIC REVIEW SUMMARY

LEGISLATION NO.: 0156-20

SPONSOR: Honorable Nathaniel Brown

TITLE: An Action Relating to Law and Order; Amending Plan of Operation for the Navajo Nation Department of Emergency Medical Service

Posted: July 10, 2020 at 3:20PM

5 DAY Comment Period Ended: July 15, 2020

Digital Comments received:

Comments Supporting	*None*
Comments Opposing	*None*
Inconclusive Comments	*None*

Legislative Tracking Secretary
Office of Legislative Services

07/16/20 8:38AM
Date/Time