

RESOLUTION OF THE
NAABIK'İYATI' COMMITTEE OF THE
NAVAJO NATION COUNCIL

23RD Navajo Nation Council - Third Year, 2017

AN ACTION

RELATING TO NAABIK'İYATI' COMMITTEE; SUPPORTING AND RECOMMENDING THE
PASSAGE OF SENATE BILL 1368, 53rd LEGISLATURE - STATE OF ARIZONA

WHEREAS:

- A. The Navajo Nation established the Naabik'iyáti' Committee as a Navajo Nation Council standing committee and as such empowered Naabik'iyáti' Committee to assist and coordinate all requests for information, appearances and testimony relating to proposed county, state and federal legislation impacting the Navajo Nation. 2 N.N.C. §§ 164 (A) (9), 701 (A) (4), 701(A) (6) (2015); CO-45-12.
- B. Statements of policy are written statements submitted to federal, state or local governments by a Navajo Nation official stating the official position of the Navajo Nation on proposed legislation or other action by that government. 2 N.N.C. § 100 (W).
- C. Senate Bill 1368 (S.B.1368) is sponsored by Allen S and was introduced to the 53rd Legislature First Regular Session - State of Arizona; S.B. 1368 is attached as **Exhibit A**.
- D. S.B. 1368 amends section 36-694 of the Arizona Revised Statutes; relating to the newborn screening program.
- E. The Navajo Nation respectfully requests an amendment to S.B. 1368 to include a member of the Arizona Advisory Council on Indian Healthcare to the committee established and appointed by the director.
- F. It is within the best interest of the Navajo Nation to support the passage of S.B. 1368 with the proposed amendment to include a committee member from the Arizona Advisory Council on Indian Healthcare.

NOW THEREFORE, BE IT RESOLVED:

- A. The Navajo Nation hereby supports and recommends the passage of S.B. 1368 and the proposed amendment to include a committee member from the Arizona Advisory Council on Indian Healthcare, attached as **Exhibit A**.
- B. The Navajo Nation hereby authorizes the Navajo Nation President, the Navajo Nation Speaker, the Navajo Nation Chief Justice and their

designees, to advocate for the passage of S.B. 1368 with the proposed amendment to include a committee member from the Arizona Advisory Council on Indian Healthcare.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Naabik'iyáti' 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 13 in favor and 0 oppose, this 6th day of April, 2017.

A handwritten signature in black ink, appearing to read "Lorenzo C. Bates", written over a horizontal line.

Honorable Lorenzo C. Bates, Chairperson
Naabik'iyáti' Committee

Motion: Honorable Herman M. Daniels
Second: Honorable Leonard Tsosie

23rd Navajo Nation Council
Naabik'iyati' Committee

DATE: April 6, 2017

Legislation 0086-17 (Main Motion)

Motion: Herman Daniels

Second: Leonard Tsosie

ALL DELEGATES:

	Yea	Nay
BATES, LoRenzo		
BEGAY, Kee Allen Jr.		
BEGAY, Norman M.		
BEGAYE, Nelson	✓	
BENNETT, Benjamin L.		
BROWN, Nathaniel	✓	
CHEE, Tom T.	✓	
CROTTY, Amber K.	✓	
DAMON, Seth		
DANIELS, Herman	✓	
FILFRED, Davis		
HALE, Jonathan L.	✓	
JACK, Lee Sr.	✓	
PERRY, Jonathan	✓	
PETE, Leonard H.		
PHELPS, Walter	✓	
SHEPHERD, Alton Joe		
SLIM, Tuchoney Jr.	✓	
SMITH, Raymond Jr.		
TSO, Otto		
TSOSIE, Leonard	✓	
WITHERSPOON, Dwight	✓	
YAZZIE, Edmund		
YAZZIE, Peterson	✓	

BY COMMITTEE:

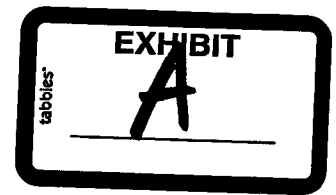
	Yea	Nay	TOTAL
BFC:			
CHEE, Tom T.			
DAMON, Seth			
JACK, Lee Sr.			
SLIM, Tuchoney Jr.			
WITHERSPOON, Dwight			
TSOSIE, Leonard			
HEHSC:			
BEGAY, Norman M.			
BEGAYE, Nelson			
BROWN, Nathaniel			
CROTTY, Amber K.			
HALE, Jonathan L.			
YAZZIE, Peterson			
LOC:			
BEGAY, Kee Allen Jr.			
DANIELS, Herman			
SMITH, Raymond Jr.			
TSO, Otto			
YAZZIE, Edmund			
RDC:			
BENNETT, Benjamin L.			
FILFRED, Davis			
PERRY, Jonathan			
PETE, Leonard H.			
PHELPS, Walter			
SHEPHERD, Alton Joe			
SPEAKER:			
BATES, LoRenzo			
(Votes only in a tie)			

GRAND TOTAL

13 0

CERTIFICATION:


 Honorable LoRenzo Bates
 Speaker



Senate Engrossed

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

SENATE BILL 1368

AN ACT

AMENDING SECTION 36-694, ARIZONA REVISED STATUTES; RELATING TO THE NEWBORN
SCREENING PROGRAM.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-694, Arizona Revised Statutes, is amended to
3 read:
4 36-694. Report of blood tests; newborn screening program;
5 committee; fee; definitions
6 A. When a birth or stillbirth is reported, the attending physician
7 or other person required to make a report of the birth shall state on the
8 certificate whether a blood test for syphilis was made on a specimen of
9 blood taken from the woman who bore the child or from the umbilical cord
10 at delivery, as required by section 36-693, and the approximate date when
11 the specimen was taken.
12 B. When a birth is reported the attending physician or person who
13 is required to make a report on the birth shall order or cause to be
14 ordered tests for certain congenital disorders, including hearing
15 disorders. The results of tests for these disorders must be reported to
16 the department of health services. The department of health services
17 shall specify in rule the disorders, the process for collecting and
18 submitting specimens and the reporting requirements for test results.
19 C. When a hearing test is performed on a newborn, the initial
20 hearing test results and any subsequent hearing test results must be
21 reported to the department of health services as prescribed by department
22 rules.
23 D. The director of the department of health services shall
24 establish a newborn screening program within the department to ensure that
25 the testing for congenital disorders and the reporting of hearing test
26 results required by this section are conducted in an effective and
27 efficient manner. The newborn screening program shall include an
28 education program for the general public, the medical community, parents
29 and professional groups. The director shall designate the state
30 laboratory as the only testing facility for the program, except that the
31 director may designate other laboratory testing facilities for conditions
32 or tests added to the newborn screening program on or after ~~the effective~~
33 ~~date of this amendment to this section~~ JULY 24, 2014. If the director
34 designates another laboratory testing facility for any condition or test,
35 the director shall require the facility to follow all of the privacy and
36 sample destruction time frames that are required of the state laboratory.
37 E. The newborn screening program shall establish and maintain a
38 central database of newborns and infants who are tested for hearing loss
39 and congenital disorders that includes information required in rule. Test
40 results are confidential subject to the disclosure provisions of sections
41 12-2801 and 12-2802.
42 F. If tests conducted pursuant to this section indicate that a
43 newborn or infant may have a hearing loss or a congenital disorder, the
44 screening program shall provide follow-up services to encourage the

1 child's family to access evaluation services, specialty care and early
2 intervention services.

3 G. The director shall establish a committee to provide
4 recommendations and advice to the department on at least an annual basis
5 regarding tests that the committee believes should be included in the
6 newborn screening program. Any recommendation by the committee that a
7 test be added to the newborn screening program shall be accompanied by a
8 cost-benefit analysis.

9 H. The committee shall include the following members who are
10 appointed by the director and who serve without compensation or
11 reimbursement of expenses at the pleasure of the director:

12 1. Seven physicians who are licensed pursuant to title 32, chapter
13 13 or 17 and who represent the medical specialties of endocrinology,
14 pediatrics, neonatology, family practice, otology and obstetrics.

15 2. A neonatal nurse practitioner who is licensed and certified
16 pursuant to title 32, chapter 15.

17 3. An audiologist who is licensed pursuant to chapter 17, article 4
18 of this title.

19 4. A representative of an agency that provides services under part
20 C of the individuals with disabilities education act.

21 5. At least one parent of a child with a hearing loss or a
22 congenital disorder.

23 6. A representative from the insurance industry WHO IS familiar
24 with health care reimbursement issues.

25 7. The director of the Arizona health care cost containment system
26 administration or the director's designee.

27 8. A representative of the hospital or health care industry.

28 I. The director may establish by rule a fee that the department may
29 collect for operation of the newborn screening program, including
30 contracting for the testing pursuant to this section. The fee for the
31 first specimen and hearing test shall not exceed ~~thirty~~ THIRTY-SIX
32 dollars.

33 J. For the purposes of this section:

34 1. "Infant" means a child who is twenty-nine days of age to two
35 years of age.

36 2. "Newborn" means a child who is not more than twenty-eight days
37 of age.

38 Sec. 2. Requirements for enactment: two-thirds vote

39 Pursuant to article IX, section 22, Constitution of Arizona, this
40 act is effective only on the affirmative vote of at least two-thirds of
41 the members of each house of the legislature and is effective immediately
42 on the signature of the governor or, if the governor vetoes this act, on
43 the subsequent affirmative vote of at least three-fourths of the members
44 of each house of the legislature.