



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
OFFICIAL SUPPORT OF THE
MEMORANDUM OF UNDERSTANDING
BETWEEN
THE HO-CHUNK NATION
AND
THE STATE OF WISCONSIN**

RESOLUTION 04-08-14M

- WHEREAS,** on November 1, 1994, the Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Nation; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** the Legislature of the Ho-Chunk Nation is the duly constituted governing body of the Ho-Chunk Nation ("Legislature") pursuant to the Constitution of the Ho-Chunk Nation; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") authorizes the Legislature to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(i) of the Constitution grants the Legislature the power to negotiate agreements with other governments, organizations, or individuals; and
- WHEREAS,** Article V, Section 2(s) of the Constitution grants the Legislature the power to promote public health, education, charity, and such other services as may contribute to the social advancement of the members of the Ho-Chunk Nation; and
- WHEREAS,** the United States Government recognized that Federal control of the intrastate incidents of the traffic in controlled substances is essential to the effective control of the interstate incidents of such traffic, and
- WHEREAS,** thereby the United States Government set provisions that Federally Controlled Substances in Schedule II, III, IV or V that require a prescription order to be lawfully dispense, must now disclose information through the State of prescribe for monitor 21 U.S.C. 812 (b) (1) to (b) (5) and (c) and 21 C.F.R. 1308; and

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WHEREAS, in June 2010, the State of Wisconsin passed legislation that directed the Pharmacy Examining Board to create the Prescription Drug Monitoring Program (PDMP) to improve patient care and safety and reduce the abuse and diversion of prescription drugs in Wisconsin while ensuring patients with a legitimate medical need for the drugs are not adversely affected and yet allows for the statewide monitoring program that is secure and collects information about monitored prescription drugs that are dispensed to patients in Wisconsin; and

WHEREAS, the State of Wisconsin, through the Department of Safety and Professional Services, is operating a PDMP pursuant to Wisconsin § 450.19 and Wisconsin Administrative Code Chapter Phar 18; and

WHEREAS, in March of 2013, the Ho-Chunk pharmacy stores were informed by the State of Wisconsin Prescription Drug Monitoring Program that all dispensers operating in the State of Wisconsin are required to electronically submit information about all dispensing of monitored prescription drugs since January 1, 2013; and

WHEREAS, the Nation and its Health Department have determined that it is beneficial to our community and pharmacy clients to participate in the State of Wisconsin PDMP.

NOW THEREFORE BE IT RESOLVED that the Ho-Chunk Nation Legislature, pursuant to its Constitutional authority, hereby endorses its support for a Memorandum of Understanding between the Nation on behalf of the Department of Health with the State of Wisconsin – Department of Safety and Professionals Services to establish a legal and technological infrastructure to share data in the Prescription Drug Monitoring Program; and

BE IT FURTHER RESOLVED that the Ho-Chunk Nation Legislature does hereby authorize the President to sign the Memorandum of Understanding between the State of Wisconsin-Pharmacy Examining Board, and the Ho-Chunk Nation Health Department that permits the mutual data sharing to the purpose of prescription drug abuse prevention and mitigating abuse potentials.

CERTIFICATION

I, the undersigned, as Secretary for the Ho-Chunk Nation Legislature, hereby certifies that the Legislature of the Ho-Chunk Nation, composed of 13 members, of whom 11 constituting a quorum were present at a meeting duly called and convened and held on the 8th day of April, 2014, that the foregoing resolution was adopted at said meeting by an affirmative vote of 11 members, 0 opposed, and 0 abstaining, pursuant to the authority of Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathleen Lone Tree-Whiterabbit
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

4.8.14
Date

