



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AUTHORIZATION FOR PERSONNEL DEPARTMENT TO OBTAIN PROPOSALS FOR FULLY INSURED HO-CHUNK NATION HEALTH PLAN

RESOLUTION 10-22-13 A

- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(b) of the Constitution grants the Legislature the power to establish Executive Departments, and to delegate legislative powers to the Executive branch to be administered by such Departments, in accordance with the law; any Department established by the Legislature shall be administered by the Executive; the Legislature reserves the power to review any action taken by virtue of such delegated power; and
- WHEREAS,** Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and
- WHEREAS,** Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and
- WHEREAS,** the Nation maintains a self-funded health insurance plan as an employer, including health, dental and vision employee benefits ("Plan"); and
- WHEREAS,** the Nation's Personnel Department, Insurance Division, assists the Nation and Legislature in administering the Nation's Plan; and
- WHEREAS,** the Nation has started the process of strategically analyzing the options it has, as an employer, in implementing and responding to the requirements and mandates of the federal Affordable Care Act on the Nation's Plan; and

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WHEREAS, the Nation has identified the additional costs it may incur as a result of compliance with the Affordable Care Act; and

WHEREAS, in an effort to mitigate the additional costs and negative impacts on the Nation's tribal government budget, the Insurance Division has requested authorization from the Legislature to solicit bids from outside insurance companies to carry the Nation's Plan as a fully insured employer health plan (no longer self-insured); and

WHEREAS, the Legislature finds it appropriate to authorize the Insurance Division to seek such proposals from outside insurance vendors from the entire market, as an aspect of the Nation's due diligence in assessing the best options to save expenses in complying with the Affordable Care Act; and

WHEREAS, as part of the effort to mitigate costs and impacts on the Nation, the Insurance Division has requested authorization to solicit additional vendor proposals, including such information as necessary, to perform this function;

NOW THEREFORE, BE IT RESOLVED, that the Legislature, pursuant to its Constitutional authority, and for the reasons stated above, hereby authorizes the Insurance Division to seek proposals from outside insurance vendors from the entire market to carry the Nation's Plan as a fully insured plan, and to then provide such information to the Legislature with recommendations from the Insurance Division.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify 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 that on the 22nd day of October, 2013, adopted the foregoing resolution at said meeting by an affirmative vote of 9 members, 0 opposed, and 2 abstaining, pursuant to the 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 the foregoing 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
Kathy Lone Tree-Whiterabbit, Tribal Secretary

10.22.13

Date