



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE AMENDMENTS TO HO-CHUNK NATION HEALTH PLANS SEPARATION OF DENTAL AND VISION BENEFIT PREMIUM COSTS FROM HEALTH PLANS

RESOLUTION 11-04-14C

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(i) of the Constitution grants the Legislature the power to negotiate and enter into treaties, compacts, contracts, and agreements with other governments, organizations, or individuals; and

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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 self-funded health insurance plans 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 Plans; and

WHEREAS, the Nation has identified substantial additional costs it may incur as a result of compliance with the Affordable Care Act, which could impact the overall budget of the Nation’s government and enterprises; and

WHEREAS, in an effort to mitigate potential additional costs and negative impacts on the Nation’s tribal government budget, the Insurance Division has recommended that the Nation’s dental and vision plans become separated from the health plan effective February 1, 2015; and

WHEREAS, the Legislature, in consideration of the costs and mitigation of impacts on the Nation’s budget and employees, finds the recommendations by the Insurance Division to be reasonable.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, and for the reasons stated above, hereby concurs with the recommendations from the Insurance Division and authorizes the changes and amendments to the Nation’s health plan as described above; and

BE IT FURTHER RESOLVED that the Insurance Division shall work to inform all employees of the changes and present information about employee options and impacts with the changes to the Nation’s health plan.

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 9 constituting a quorum were present at a meeting duly called and convened and held that on the 4th day of November, 2014, adopted the foregoing resolution at said meeting by an affirmative vote of 6 members, 1 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
Kathleen Lone Tree-Whiterabbit, Tribal Secretary

11.4.14
Date

