

BY LAWS
TRIBAL HEALTH BOARD

ARTICLE 1. AUTHORITY, NAME, PURPOSE, AND POWERS.

- SECTION 1: By authority of the Tribal Council of the Bad River Tribe, the Tribal Health Board was established on 9-6-77-49 and charged with the duties and responsibilities outlined in these by-laws. Ratification of these by-laws shall be effected and approved by the Tribal Council.
- SECTION 2: The purpose of the Tribal Health Board is to facilitate maximum health service to eligible members of the Bad River service area.
- SECTION 3: The Tribal Health Board shall be responsible to the Tribal Council for making recommendations for health priorities, program development and planning, budget recommendations, selection and training of personnel and health board members, the construction of new health facilities, and for the general coordination of all health programs on the reservation. The Tribal Health Board shall also assume the responsibility for existing health programs and shall determine policies for their continuing operations.
- SECTION 4: The Tribal Health Board shall make recommendations to the Tribal Council regarding maximum utilizations of available resources for the improvement of the health and welfare of the Bad River Community.
- SECTION 5: Should the Tribal Health Board determine that the policies of the United States Public Health Service or existing laws are in conflict with the best interest of the Bad River Community, they are charged with the responsibility of recommending to the Council resources needed to effect proper changes in policy or law.
- SECTION 6: The Tribal Health Board shall be responsible for working with the United States Public Health Service to assure that individual health problems receive adequate attention by the United States Public Health Service and/or and all government, state and private resources and agencies.

ARTICLE II. BOARD COMPOSITION AND OFFICERS

SECTION 1: The Tribal Health Board shall be composed of nine members of the Bad River Community and appointed by the Health Board and confirmed by the Tribal Council. The elected officers of this board shall be a Chairperson, Vice-chairperson, and secretary/treasurer, four regular members and two alternates.

SECTION 2: If a Board member is absent for more than two(2) consecutive regular meetings without reasonable justification, he will be dismissed from his seat by the Health Board and a replacement appointed by that body. What is reasonable justification will be determined by the Health Board. The Board shall fill vacancies within the Health Board caused by resignation, death, or removal for cause. Cause may include but is not limited to, the following: 1. Betrayal of executive information. 2. The corrupt use of power. 3. Neglect of duty. 4. Misappropriation or use of funds. 5. Official misconduct. 6. Alteration or falsification of records. 7. Authorship or statements prejudicial to the reputation of members. 8. Violation of these by-laws, rules and policies of the Health Board. 9. Violation of the rules, by-laws, constitution or policies of the Bad River Tribe.

SECTION 3: Term of Office: The four (4) regular members of this Board, excluding the Officers and alternates, shall serve for two (2) year periods. From the beginning, the Officers, President, Vice-President, Secretary/treasurer, and the alternate Board members shall serve for a period of one year for the first year of the Board's being. The officers and alternates shall, after this first year is completed serve terms of two years.

SECTION 4: Each Health Board member shall have one vote. The Chairman shall call meetings to order and preside over same, or in his absence the Vice-chairman, but the Chairman shall have no vote except in the case of a tie vote. The Secretary-treasurer shall keep minutes of all meetings and record all votes, and perform such duties with respect to the finances of the board as may be prescribed by the Board. All checks issued by the Bad River Health Board shall have two signatures, Chairman, Secretary/treasurer. In case of emergency the Vice-chairman.

SECTION 5: The Chairman of the Board will make a written report to the Tribal Council. If the Tribal Council should not meet during the month, the report will be carried over to the next meeting of the Tribal Council. In any case a report of activities and progress will be on file.

ARTICLE III. MEETINGS.

SECTION 1: The Board shall meet monthly and upon the call of the chairman. Upon failure or refusal of the Chairman to call meetings as required or necessary, meetings may be called upon three (3) days notice by the Secretary/Treasurer to all members signed by any four members of the Board. Four members shall constitute a quorum at any meeting of the Board. All meetings will be open to the public. Meetings requiring confidentiality shall be handled in executive session.

SECTION 2: Health Board Members will be paid \$10.00 for each regular and special Health Board Meeting as per resolution number 1280-33. Per diem and mileage will be paid to health board members for attending out of town training or health related meetings.

ARTICLE IV. AMENDMENTS.

SECTION 1: The by-laws of the Health Board may be amended by a majority vote of the Board at any regular meeting provided a written copy of the proposed amendments have been sent to all Board Members at least five (5) days prior to the date of the meeting. All proposed amendments approved by the Board shall be subject to subsequent approval by the Tribal Council to be effective.

ARTICLE V. FISCAL YEAR

SECTION 1: The fiscal year shall be April 1 - March 31, inclusive, except for the Indian Health Service Medical and Division of Indian Community Development Contracts.

ARTICLE VI. GRIEVANCE

SECTION 1: Grievances from community members and tribal representatives relating to the Health Programs shall be heard by the Health Board. Complaints and/or grievances about the programs shall be made in writing to the Health Board. The Health Board shall inform the complainant in writing seven (7) working days in advance of the hearing. Failure of the complainant to appear before the Health Board shall make the original complaint null and void. A decision made in favor of the complainant shall be final.

SECTION 2: If the complaint cannot be resolved by the Health Board the complainant may request in writing a hearing before an Ad Hoc Hearing Board. The hearing shall take place

within ten (10) working days of the receipt of the written request. The Ad Hoc Hearing board shall be comprised of one person chosen by the complainant, one person chosen by the Health Board, and one impartial person agreeable to both the complainant and the Health Board. The decision of the Ad Hoc Board shall be final. }

BE IT FURTHER RESOLVED that the Bad River Health Board, The Alcohol Counselor, the Community Health Representatives, the Maternal Child Health Program and all other health programs will carry out the mandates of the Health Board. It is to be recognized and understood that the Health Board is charged with the responsibility to work with all "government, state, and private resources and agencies" (Article 1, Sect. 6) Should there arise any conflict in policies between those agencies providing services in the Bad River Community, which is not in the best interest of the Community, the Health Board will make recommendations to the Tribal Council for remedial action.

BE IT FURTHER RESOLVED that the enactment of this resolution centralizes responsibility and concern for Tribal Health matters in the newly established Tribal Health Board and removes such responsibility from all other previously existing Tribal Health Boards, Committees, etc.

BE IT FURTHER RESOLVED that the purpose of this resolution is to delegate the authority and responsibility to the Health Board without any concurrent loss of ultimate Tribal authority; the Health Board serves and functions as an official arm of the Bad River Tribal Council on all health related matters.

BE IT FURTHER RESOLVED that this resolution will become effective immediately upon favorable Council action.

RESOLUTION OF THE BAD RIVER TRIBE

WHEREAS, the Odanah Bad River Community has great interest in improving, developing, coordinating, and strengthening, health services on the reservation; and in more fully utilizing the potential of our Tribal Health Workers, their skills and their experience.

BE IT RESOLVED that the Tribal Council hereby; create a Bad River Board of Health, hereafter, referred to as the Health Board.

BE IT FURTHER RESOLVED that the purposes, duties, and responsibilities of the Health Board are as follows:

1. To establish policies for the operation and management of health programs, in agreement with Personnel Policies of the Bad River Tribe when they are adopted.
2. To promote and develop health services for the Bad River Community and all eligible persons. (Through assessment of community needs and establishment of goals.)
3. To cooperate with Tribal Committees, the U.S. Indian Health Service, the Bureau of Indian Affairs, and also both public and private companion agencies on the State and National levels to identify and resolve community health needs and to more effectively meet these needs through various health programs.
4. To integrate the activities of such other groups with the kindred aims of providing a well-coordinated comprehensive Tribal Health Program.
5. To seek our resources at the Local, State and National level to provide additional health services to the Bad River Community.

BE IT FURTHER RESOLVED that the organization of the Health Board be as follows:

The Health Board shall consist of nine, 7 Community members, and 2 alternates, in improving the health of the Community.

CERTIFICATION

I, the undersigned, as Secretary of the Bad River Tribal Council hereby certify that the Tribal Council is composed of 7 members, of whom 6 being present constituted a quorum at a meeting thereof duly called, convened, and held on this 9th day of July, 1980, and that the foregoing resolution was duly adopted at such meeting by an affirmative vote of 4 for and 1 abstaining 0 against, and that said resolution has not been rescinded or amended in any way.

Barbara Livingston
Barbara Livingston, Secretary
Bad River Tribal Council