



SHINGLE SPRINGS BAND OF MIWOK INDIANS

Shingle Springs Rancheria, (Verona) Tract, California
5281 Honpie Road, Placerville CA 95667
P.O. Box 1340, Shingle Springs CA 95682
(530) 676-8010 office; (530) 676-8033 fax

RESOLUTION 2015-82

SUBJECT: APPROVAL OF AMENDMENTS TO THE SHINGLE SPRINGS TRIBAL HEALTH BOARD BYLAWS.

WHEREAS, the Shingle Springs Band of Miwok Indians (the “Tribe”) is a federally recognized Indian tribe eligible for the special programs and services provided by the United States to Indians because of their status as Indians and is recognized as possessing powers of self-government; and

WHEREAS, the Shingle Springs Tribal Council is the duly-elected governing body of the Tribe and is authorized to act on behalf of the Tribe; and

WHEREAS, the Tribe implemented a Tribal Health Board upon opening of its Tribal Health Program many years ago; and

WHEREAS, the Tribal Council has adopted bylaws to guide and regulate the Tribal Health Board, most recently amended on April 10, 2014; and

WHEREAS, the Tribal Council now desires to amend the Tribal Health Board Bylaws in order to change the number of Directors from nine (9) to seven (7) and also to require yearly background checks for all Directors; and

WHEREAS, the Tribal Council has reviewed the attached Shingle Springs Tribal Health Board Bylaws and has determined that it is consistent with the Tribe’s goals in the operation of the Tribal Health Program and its composure of its Board.

NOW THEREFORE, BE IT RESOLVED that the Tribal Council hereby approves the attached “Shingle Springs Tribal Health Board Bylaws” as the bylaws of the Shingle Springs Tribal Health Board, and delegates the Chairman the authority to execute any and all documents and agreements necessary as may be required to give effect to the transactions, herein contemplated, and to take such other actions as may hereby be necessary and appropriate to carry out the obligations there under.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

CERTIFICATION

As a duly-elected official of the Shingle Springs Band of Miwok Indians, I do hereby certify that, at a meeting duly called, noticed, and convened on the 17th day of December, 2015 at which time a quorum of 7 was present, this resolution was duly adopted by a vote of 5 FOR, 0 AGAINST, 2 ABSTAINED, and said resolution has not been rescinded or amended in any form.

[Signature]

Chairperson

December 17, 2015

Date

ATTEST:
[Signature]

Secretary

December 17, 2015

Date



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SHINGLE SPRINGS TRIBAL HEALTH BOARD BY-LAWS

BY ADOPTION OF RESOLUTION 05-37 THE SHINGLE SPRINGS BAND OF MIWOK INDIANS TRIBAL COUNCIL REAFFIRMED ITS PRIOR ESTABLISHMENT OF THE SHINGLE SPRINGS TRIBAL HEALTH BOARD AS THE GOVERNING BODY OF THE SHINGLE SPRINGS TRIBAL HEALTH PROGRAM, AND ADOPTED THESE AMENDED BYLAWS TO GOVERN THE TRIBAL HEALTH BOARD.

ARTICLE I: PURPOSE OF THE HEALTH BOARD

SECTION 1: The purpose of the Shingle Springs Tribal Health Board (“the Board) is to provide, through delegation as required in Article II, for the planning, organization, administration, management, and operation of the Shingle Springs Tribal Health Program (“Tribal Health”) in order to ensure that the highest quality of care is provided to its patients.

ARTICLE II: AUTHORITY, DUTIES AND RESPONSIBILITIES OF THE HEALTH BOARD

SECTION 1: The Health Board shall have full authority and responsibility for the Shingle Springs Tribal Health Program, except as reserved to the Tribal Council in Section 2 of this Article. The Health Board shall, without limitation, have the following duties and responsibilities:

- (A) To review and approve the policies and procedures for the Shingle Springs Tribal Health Program annually in cooperation with staff. The policies of the Shingle Springs Tribal Health Program may be amended by a majority vote of the Health Board at any regular meeting, provided that consideration of the proposed amendment(s) for approval has been duly noted on an agenda, and a copy of the proposed amendment(s) has been provided to all Board Directors at least 7 days before the meeting.
- (B) To cooperate with the Tribal Council, the United States Indian Health Service, the California Rural Indian Health Board, the Bureau of Indian Affairs, and public and private agencies on the local, state and national levels, to identify and understand community health needs and problems, and to determine and implement the most effective and efficient means to solve those problems and meet those needs through a broad range of health-related programs.
- (C) Establish short and long term goals for the Tribal Health Program.

- (D) Participate in the review of the credentials and competency of, and establish policies and standards for the hiring and retention of, all licensed clinicians.
- (E) Review and participate in reviews and audits of the Tribal Health Program by state, federal or other agencies.
- (F) Review the performance of the Tribal Health Program and report annually in writing and verbally to the Tribal Council and to the Tribe on the programs and progress of the Clinic.
- (G) Approve sliding fee scales and co-payments annually for non-Indian patients.
- (H) Ensure that a peer review is in place for licensed clinicians, and participate in that program as appropriate.
- (I) Approve the clinic's annual operations budget, monitor the implementation of that budget, and modify the budget as may be required by the circumstances.
- (J) Approve new or changed job descriptions at Shingle Springs Tribal Health Program.
- (K) Monitor and periodically report to the Tribal Council on all revenues generated by the clinic, all grant funds received by the clinic, and all clinic expenditures.
- (L) Receive reports from the Clinic Manager and Department Director at each monthly Tribal Health Board Meeting.
- (M) Work closely with the various Program Department Directors and the Clinic Manager in order to manage the Program.

SECTION 2: AUTHORITY, DUTIES AND RESPONSIBILITIES RESERVED TO TRIBAL COUNCIL.

Notwithstanding the Tribal Council's broad general delegation in Section 1 of authority, duties and responsibilities to the Health Board, the following are reserved exclusively to the Tribal Council:

- (A) Negotiation and execution of contracts with the United States, the State of California, and other governmental entities.
- (B) Appointment, termination, and replacement of members of the Board of Directors.

ARTICLE III: APPOINTMENT OF DIRECTORS, TERM OF OFFICE, TERMINATION UPON EMPLOYMENT BY TRIBAL HEALTH

SECTION 1: The Shingle Springs Tribal Health Board shall be comprised of seven (7) Directors appointed from the Tribal membership by the Shingle Springs Tribal Council to serve staggered five (5) year terms, which shall begin on the third Saturday in February.

- (A) Following approval of these Bylaws by the Tribal Council, all current Directors' terms will be for the length of time outlined in Tribal Council Resolution 2015-85. In order to transition from nine (9) Directors to seven (7), there will be no reappointments until the current number of Directors is down to seven (7).
- (B) Individuals employed by the Tribal Health Program are not eligible to be Directors, or Secretary of the Board. If at any time a Director or the Secretary of the Board becomes employed by the Tribal Health Program, he or she will be honorably removed from the Health Board at the next Board meeting.
- (C) All Directors, excluding individuals 17 years old and younger, must submit to a background test upon appointment to the Board and in January of every year and may not serve on the Board if they have been convicted of any felonies or crimes of fraud against the Tribe within the last five years.

SECTION 2: The Health Board will elect officers yearly, including a Chairperson and Vice-Chairperson, to direct the affairs of the Board. Any officer may be removed from office, with good cause, by the Board at any Board meeting. Removal of an officer requires two-thirds vote of the Directors.

- (A) The Health Board Chairperson shall preside at all regular meetings of the Board. He or she shall carry out all of the policies, rules, regulations and orders of the Board.
- (B) The Vice-Chairperson shall assist the Chairperson when called upon, and in the absence of the Chairperson shall preside, and when presiding shall have all the privileges, duties and responsibilities of the Chairperson.

SECTION 3: The Board shall nominate a Secretary from the Tribe's General Membership to serve with the Board of Directors for a term of five years. The Secretary may be removed from office, with good cause, by a majority vote of the Board at any Board meeting. The Secretary shall keep minutes of each meeting of the Health Board, shall record all votes, and is responsible for assuring that official copies of the minutes of each meeting are submitted to the Tribal Council. Each page of the minutes shall be signed and dated by the Secretary.

ARTICLE IV: BOARD MEETINGS

SECTION 1: The Health Board shall meet at least once each month.

SECTION 2: Special meetings may be called by the Chairperson or a majority of the Health Board. The notice of the meeting shall include the purpose and agenda items of the meeting.

SECTION 3: Each Director shall have one vote on all matters.

SECTION 4: To constitute a quorum, the majority of the Directors of the Health Board, including at least one officer, shall be present at roll call. If a quorum is not present within one quarter of an hour after the announced time, it shall be declared that there is no quorum and the meeting shall be cancelled and rescheduled. If a quorum is present when the meeting is called to order, but Directors leave during the meeting, resulting in their remaining fewer Directors than is required for a quorum, the remaining Directors may nevertheless continue to conduct business, so long as any vote taken is approved by at least three Directors.

SECTION 5: The Health Board shall use Roberts Rules of Order as a non-binding guide to determine procedural questions.

ARTICLE V: REMOVAL OF DIRECTORS, APPEAL, RESIGNATION, AND VACANCIES

SECTION 1: Any Health Board Director may be dismissed by majority vote of the Tribal Council with or without cause. Dismissals for cause shall be based upon a finding of just cause by the Tribal Council rendered after the subject Director has been afforded due process. Just cause for dismissal includes serious misconduct, missing any two consecutive meetings, or a total of four (4) meetings in any one-year period without being excused for a good cause, or repeatedly arriving late and /or leaving early without good reason.

SECTION 2: Any Director removed from the Health Board for cause may appeal the decision to the Tribal Council. Appeals shall include, in writing, facts supporting the removed Director's claim that he or she was unjustly removed.

SECTION 3: Any Director who wishes to resign from the Board shall give at least thirty days' notice to the Tribal Council and the Board.

SECTION 4: The Tribal Council retains the power to fill all Board vacancies caused by death, removal, resignation, or otherwise.

ARTICLE VI: AMENDMENTS

SECTION 1: The Health Board may, by majority vote, recommend to the Shingle Springs Tribal Council amendments to these Health Board Bylaws with the appropriate information supporting the amendment.

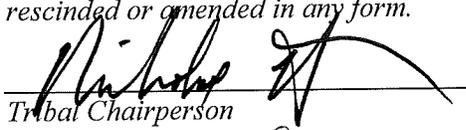
SECTION 2: No amendments to these Health Board Bylaws shall be effective without approval by resolution of the Tribal Council.

ARTICLE VII: FISCAL YEAR

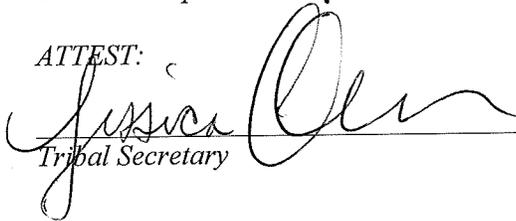
SECTION 1: The Fiscal Year for the Shingle Springs Tribal Health Program shall be from January 1, to December 31, inclusive.

ARTICLE VIII: CERTIFICATION

As a duly-elected official of the Shingle Springs Band of Miwok Indians, I do hereby certify that, at a meeting duly called, noticed, and convened on the 17th day of December 2015 at which time a quorum of 1 was present, 5 FOR, 0 AGAINST, 2 ABSTAINED, and said resolution has not been rescinded or amended in any form.


Tribal Chairperson

December 17, 2015
Date

ATTEST:

Tribal Secretary

December 17, 2015
Date