



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE WORKING DEPENDENT PROVISION TO NATION'S HEALTH INSURANCE PROGRAM RESOLUTION 12-22-09 C

- 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 Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) of the Constitution of the Ho-Chunk Nation ("Constitution") grants the Legislature the power to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(d) of the Constitution grants the Legislature the power to authorize expenditures by law and appropriate funds to the various Departments in an annual budget; 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 government 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
- WHEREAS,** the Ho-Chunk Nation offers health insurance to employees, their families and Ho-Chunk Nation Tribal Elders, and seeks to offer competitive health benefits; and
- WHEREAS,** the Ho-Chunk Nation seeks to improve the health of employees, their families and Ho-Chunk Nation Tribal Elders; and
- WHEREAS,** the Legislature has contracted with Cottingham & Butler Consulting Services as the Consultant for the Nation's Employee Benefits Insurance; and
- WHEREAS,** the Legislature held three meetings with Benjamin Butler, Vice President of Cottingham & Butler Consulting Services, to develop Wellness and Cost Savings Strategies for the Nation; and
- WHEREAS,** Mr. Butler made a number of recommendations and provided a hand-out entitled "Ho-Chunk Nation Wellness and Cost Savings Strategies December 2009" regarding wellness and cost savings strategies the Nation could use for its health insurance plan; and
- WHEREAS,** one recommendation was for the Nation to implement a working dependent provision that requires all working spouses of Ho-Chunk Nation employees and dependants over the age of eighteen (hereinafter "dependants") to take their employer's group health insurance if available. To be considered available the group health insurance plan of the working spouse or dependant must satisfy the criteria of the next "WHEREAS" clause; and

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WHEREAS, for the working spouse or the dependant to have a group health insurance plan provided by his or her employer that is considered available his or her respective contributions required to participate in the plan must not be \$300.00 or more per month than the contributions required to participate in the Nation's plan; and

WHEREAS, it is estimated that this will result in an annual \$200,000.00 to \$1,000,000.00 reduction in the cost of the Nation's health care expenses.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, implements a working dependent provision within the Ho-Chunk Nation insurance plan that requires a working spouse or a working dependant over the age of eighteen to take his or her employer's group health insurance if available.

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, directs that in order for the employer's group health insurance of the working spouse or of the dependant over the age of eighteen to be considered available the contributions required to participate in the plan must not be \$150.00 or more per month than the contributions required to participate in the Nation's plan.

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, directs that the Ho-Chunk Nation Insurance Department, working in conjunction with the Ho-Chunk Nation Department of Justice and Cottingham & Butler Consulting Services, shall develop a legal form for employees to sign in order to implement this change in policy.

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, directs that the aforementioned legal form shall be used to enable the Nation to determine if an employee using the Nation's insurance plan has a spouse or dependant over the age of eighteen who has available group health insurance from his or her employer.

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, directs that an employee upon signing up for the Nation's health insurance shall sign the aforementioned legal form.

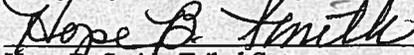
BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, directs that an employee who has the Nation's health insurance shall annually sign the aforementioned legal form.

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, directs that if an employee, after the effective date, knowingly falsely provides materially inaccurate information on the aforementioned legal form he or she shall have past and future claims made under the Nation's insurance plan denied for the spouse or adult dependent who should not have been covered under the Nation's health plan.

BE IT FURTHER RESOLVED that the Legislature, pursuant to its Constitutional authority, makes the effective date of the addition of the Working Dependant Provision to the Nation's Health Insurance Program as of July 1, 2009.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 12 constituting a quorum were present at a meeting duly called and convened and held on the 22nd day of December, 2009, that the foregoing resolution was adopted at said meeting by an affirmative vote of 10 members, 1 opposed, and 1 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.



Hope B. Smith, Tribal Secretary



Date