HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE
WELLNESS INITIATIVE RESOLUTION
RESOLUTION 12-22-09 D

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 the creation of a Ho-Chunk Nation Wellness Program; and

WHEREAS, in 2005, the International Foundation of Employee Benefit Plans conducted a survey of how many employers offer a Wellness Program; and

WHEREAS, the 2005 survey found that forty percent of employers offered a formal Wellness Program and forty-seven percent of remaining employers planned to start one by 2007; and

Executive Offices
W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

WHEREAS, in 2005, the Nation had a Wellness Program for its employees; and

WHEREAS, through this Wellness Program it was estimated that the Nation saved $1,424,500 in annual health plan cost; and

WHEREAS, to implement the Wellness Program the Nation will implement a value based wellness plan design with a health reimbursement account for tribal and non-tribal employees:

(1) For Non-Tribal employees:

(a) the deductible shall be $1,500 for single and $3,000 for family;
(b) the year one health reimbursement account incentives shall be $750 for having a health risk assessment done in April of 2010 and $250 for going to a routine preventive office visit;
(c) the year two and every year thereafter health reimbursement account incentives shall be $450 for having a health risk assessment done in April, $300 for meeting health goal index and $250 for going to a routine preventive office visit; and
(d) the employee shall be able to roll over 100% of the benefits earned from year to year, but the benefits shall not be portable upon the employee's separation from employment with the Nation.

(2) For Tribal employees:

(a) the deductible shall be $500 for single and $1,000 for family;
(b) the year one health reimbursement account incentives shall be $350 for having a health risk assessment done in April of 2010 and $150 for going to a routine preventive office visit;
(c) the year two and every year thereafter health reimbursement account incentives shall be $250 for having a health risk assessment done in April, $150 for meeting health goal index and $100 for going to a routine preventive office visit; and
(d) the employee shall be able to roll over 100% of the benefits earned from year to year, but the benefits shall not be portable upon the employee's separation from employment with the Nation.

NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, approves the implementation of the Ho-Chunk Nation Wellness Program for all employees and spouses covered by the Ho-Chunk Nation health plans; and

BE IT FURTHER RESOLVED that health risk assessment testing for the Ho-Chunk Nation Wellness Program will be conducted initially in April of 2010 and thereafter annually in May and June; and

BE IT FURTHER REOLVED, that testing will be completed annually by Interactive Health Solutions, a vendor previously selected and utilized by the Ho-Chunk Nation; and

BE IT FURTHER RESOLVED that the Nation will implement a value based wellness plan design with a health reimbursement account for tribal and non-tribal employees:

(1) For Non-Tribal employees:

(a) the deductible shall be $1,500 for single and $3,000 for family;
(b) the year one health reimbursement account incentives shall be $750 for having a health risk assessment done in April of 2010 and $250 for going to a routine preventive office visit;

(c) the year two and every year thereafter health reimbursement account incentives shall be $450 for having a health risk assessment done in April, $300 for meeting health goal index and $250 for going to a routine preventive office visit; and

(d) the employee shall be able to roll over 100% of the benefits earned from year to year, but the benefits shall not be portable upon the employee's separation from employment with the Nation.

(2) For Tribal employees:

(a) the deductible shall be $500 for single and $1,000 for family;
(b) the year one health reimbursement account incentives shall be $350 for having a health risk assessment done in April of 2010 and $150 for going to a routine preventive office visit;
(c) the year two and every year thereafter health reimbursement account incentives shall be $250 for having a health risk assessment done in April, $150 for meeting health goal index and $100 for going to a routine preventive office visit; and
(d) the employee shall be able to roll over 100% of the benefits earned from year to year, but the benefits shall not be portable upon the employee's separation from employment with the Nation.

BE IT FURTHER RESOLVED that all HIPAA privacy requirements will be followed in order to protect the privacy of individual's personal health information.

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 **7members, 5 opposed, and 0 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 — 12-22-09

Hope B. Smith, Tribal Secretary — Date