

An Act

Legislative Act 18-25

CHEROKEE NATION CLAREMORE OUTPATIENT AND EMERGENCY HEALTH CENTER ACT

BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This legislative act shall be titled and codified as the Cherokee Nation Claremore Outpatient and Emergency Health Center Act of 2025.

Section 2. Legislative History

Resolution 57-24, “A Resolution in Support of the Principal Chief Compacting Programs, Services Functions and Activities and Ownership of Facilities of the Claremore Service Unit”

Resolution 055-25, “A Resolution Authorizing the United States Department of Interior and Indian Health Service to Transfer Title of The Claremore Indian Hospital Property to The United States in Trust for the Cherokee Nation”

Section 3. Purpose and Findings

- A. **Purpose:** The purpose of this Act is to authorize spending for the construction of the Cherokee Nation Claremore Outpatient and Emergency Health Center, a facility or facilities to replace the Claremore Service Unit, also known as Claremore Indian Hospital, a health facility owned and operated by the United States through its Indian Health Service upon assumption of ownership and operations of that facility to Cherokee Nation.
- B. **Findings:** The Council finds that it previously expressed support for “the Principal Chief’s call for the assumption of ownership and control of facilities and operations at the Claremore Services Unit for fiscal year 2026 by immediately undertaking a self-governance planning process with Indian Health Service” (Resolution 57-24). The Council takes legislative notice, as represented by the Principal Chief and his designees, that negotiations on said assumption has been ongoing during Fiscal Year 2025 with an anticipated conclusion resulting in said assumption by October 1, 2025. The Council further takes legislative notice, as represented by the Principal Chief and his designees, that the current Claremore Service Unit facility, more

commonly known as Claremore Indian Hospital, is in such a deficient state that a full rehabilitation of that facility could cost in excess of \$100 million, which would result in an updated and licensing authority compliant facility, but which would remain a facility that falls short of the facility standards developed and maintained by Cherokee Nation such that would never adequately serve the long-term health needs of patients in our health system. The Council concludes that replacement of the Claremore Service Unit at a newly constructed facility or campus of facilities located within the community of Claremore, Oklahoma, is warranted. The Council therefore finds that authorizing funds for capital improvements to sustain the existing Claremore Service Unit and to construct a replacement facility or facilities for the Claremore Service Unit within the Claremore community.

Section 4. Definitions

- A. **“Claremore Service Unit”** Shall mean the health care facility, also known as Claremore Indian Hospital, located at 101 S. Moore Avenue, Claremore, OK, operated by federal Indian Health Service.
- B. **“Cherokee Nation Claremore Outpatient and Emergency Health Center”** Shall mean any facility or facilities located within the city limits of Claremore, Oklahoma, owned and operated by Cherokee Nation for the purposes of providing health and wellness services, said name formally designated within the meaning of The Building and Facility Naming Act of 2011 (Legislative Act 18-11).

Section 5. Policy of Accountability

- A. All funds pursuant to this Act under the care of the Cherokee Nation shall be expended as authorized by this enactment unless amended.
- B. Any official who intentionally and willfully misuses, misapplies, diverts or embezzles the application or use of any public funds entrusted to the care of the Cherokee Nation from any sources may be prosecuted according to applicable criminal statutes.

Section 6. Substantive Provisions

- A. **Conditional Authority:** All authority granted by the Council herein is dependent on the Cherokee Nation, by the Principal Chief, reaching such agreements necessary for the assumption of ownership and control of the Claremore Service Unit, including such funding agreements with Indian Health Service supportive of operating the Cherokee Nation Claremore Outpatient and Emergency Health Center.
- B. **Funding Sources:** The funding sources include dividends received from those for-profit corporations in which Cherokee Nation is the sole or majority shareholder, and that are incorporated under Cherokee Nation law and grants, donations, miscellaneous sources and contributions, revenues of enterprises, taxes, and special and general fund sources.

C. **Authorized funds:** Beginning in fiscal year 2025 immediately, upon enactment of this Act, through the end of fiscal year 2028, the Council authorizes \$255,500,000 for the following authorized purposes:

- a. Construction of Cherokee Nation Claremore Outpatient and Emergency Health Center, consisting of a fully equipped facility or facilities for the provision of health and wellness services, inclusive of property acquisition and compliance with the Cherokee Art and Facilities Act of 2006 (Legislative Act 01-07).
- b. Minimal capital repairs and improvements to the Claremore Service Unit sufficient to maintain the delivery of health and wellness services during the pendency of the construction of the Cherokee Nation Claremore Outpatient and Emergency Health Center, as determined by the Principal Chief.

D. **Location of Facility, Authorization to Place Land in Trust:** The Principal Chief may determine the location of the facility, provided it is:

- a. Located within the city limits of the City of Claremore, Oklahoma.
- b. Located on land owned in fee simple title or held in trust for the Cherokee Nation by the United States,
- c. Understood that this authority includes authorization by the Council of the Principal Chief to apply to place the land into said trust status at his or her discretion.

E. **Council Notice and Consultation; Annual Report**

- a. No less than 45 days before commencement of construction of the facility or facilities the Principal Chief shall provide the Council with notice of the design of the facility or facilities described in Section 4, including any substantial design alterations for a 30-day comment period ending prior to the commencement of said construction.
- b. The Principal Chief shall provide an annual report to the Council on the status of authorized funding uses and activities under this act, styled as “Cherokee Nation Claremore Outpatient and Emergency Health Center Act Annual Report,” for each of fiscal years 2026, 2027 and 2028, no later than December 31 for the preceding fiscal year reporting period, with said report made available for public review within 30 days after submission to the Council, with the additional in-patient expansion analysis included in a biennial basis as required by Section 6(F) of this Act.

F. **Required Planning and Design of Future Hospital Addition; Required Biennial Analysis of Hospital Need and Feasibility**

- a. Land acquisition and design of the facility authorized in Section 6(D) of this Act shall accommodate, including the creation of a basic rendering, an expansion of the facility or facilities authorized herein for the purpose of a future in-patient unit.

- b. Beginning with the annual report for the Fiscal Year 2026 reporting period, as required by Section 6(E) of this Act, on a biennial basis the report shall include an analysis of the need for and feasibility of the construction of an in-patient unit as an expansion of the facility or facilities authorized herein.

Section 7. Council Appropriations and Oversight Reserved

Nothing herein supplants the Council's constitutional and statutory role in budget appropriations or oversight.

Section 8. Reference to the Act

The expenditure of any funds authorized under this Act for any portion of any capital project, program or service authorized by this Act shall be designated as having been "funded by," "administered by," or "made possible by" the Cherokee Nation Claremore Outpatient and Emergency Health Center Act of 2025.

Section 9. Provisions as Cumulative

The provisions of this Act shall be cumulative to existing law.

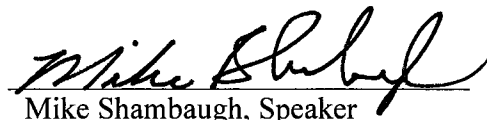
Section 10. Severability

The provisions of this Act are severable and if any part of provision hereof shall be deemed void the decision of the court so holding shall not affect or impair any of the remaining parts or provisions of this Act.

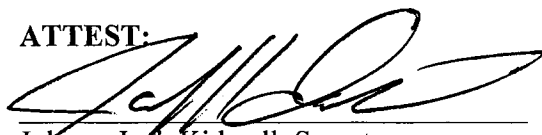
Section 11. Effective Date: Emergency Declared

It being immediately necessary for the welfare of the Cherokee Nation, the Council hereby declares that an emergency exists, by reason whereof this Act shall take effect immediately upon its approval and signatures.

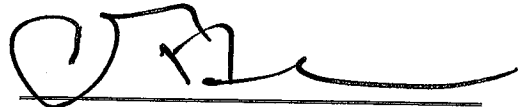
Enacted by the Council of the Cherokee Nation on the 26th day of June, 2025


Mike Shambaugh, Speaker
Council of the Cherokee Nation

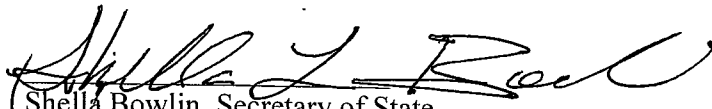
ATTEST:


Johnny Jack Kidwell, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 26th day of June, 2025.


Chuck Hoskin, Jr., Principal Chief
Cherokee Nation

ATTEST:


Shella Bowlin, Secretary of State
Cherokee Nation

YEAS AND NAYS AS RECORDED:

Sasha Blackfox-Qualls	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Kendra McGeady	<u>Yea</u>
Lisa Hall	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Dr. Mike Dobbins	<u>Yea</u>	Joe Deere	<u>Yea</u>
E.O. "Jr" Smith	<u>Yea</u>	Kevin Easley, Jr.	<u>Yea</u>
Daryl Legg	<u>Absent</u>	Danny Callison	<u>Yea</u>
Joshua Sam	<u>Yea</u>	Johnny Jack Kidwell	<u>Yea</u>
Codey Poindexter	<u>Yea</u>	Julia Coates	<u>Absent</u>
Mike Shambaugh	<u>Yea</u>		

**ADMINISTRATIVE
CLEARANCE**

Dept/Program:

Signature/Initial

Date

Executive Director:

Signature/Initial

Date

Treasurer (Required:
Grants/Contracts/Budgets):

Signature/Initial

Date

Government Relations:

Signature/Initial

Date

Administration Approval:



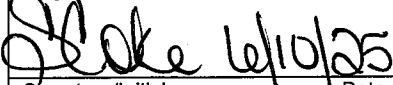
6/10/2025

Signature/Initial

Date

LEGISLATIVE CLEARANCE:

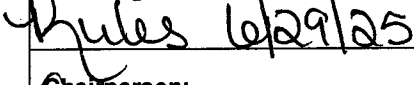
Legal & Legislative Coordinator:



Signature/Initial

Date

Standing Committee & Date:



Chairperson:



Signature/Initial

Date

**Cherokee Nation
Act/Resolution Proposal Form**



Act



Resolution

TITLE:

**CHEROKEE NATION CLAREMORE OUTPATIENT
AND EMERGENCY CENTER ACT**

DEPARTMENT CONTACT: Chuck Hoskin Jr.

RESOLUTION PRESENTER: _____

Mike Shambaugh, Kevin Easley, Danny
Callison, Candessa Tehee, Kendra McGeady,
Dora Patzkowski, Codey Poindexter, Joe Deere,
Julia Coates, Johnny Kidwell, Melvina
Shotpouch, Daryl Legg, E.O. Junior Smith,
Josh Sam, Mike Dobbins

COUNCIL SPONSOR: _____

NARRATIVE: