

Committee: \_\_\_\_\_ Rules \_\_\_\_\_  
Date: 02/08/22 Committee Date: 02/24/22

Author: Chuck Hoskin Jr.  
Sponsor: Johnny Kidwell, Julia Coates, Rex Jordan, Candessa Tehee, Wes Nofire, Mike Dobbins, E.O. Smith, Daryl Legg, Joshua Sam, Shawn Crittenden, Mike Shambaugh, Melvina Shotpouch, Victoria Vazquez, Dora Patzkowski, Joe Deere, Keith Austin, Danny Callison

## An Act

### Legislative Act 07-22

#### A LEGISLATIVE ACT AMENDING TITLE 18, ARTICLE 3, SECTION 18 OF THE CHEROKEE NATION GENERAL CORPORATION ACT, EXPANDING THE ACCESS FOR CHEROKEE NATION CITIZENS TO THE CHEROKEE NATION HEALTH SERVICES HEARING AID PROGRAM, PROVIDING FOR SEVERABILITY AND DECLARING AN EMERGENCY

BE IT ENACTED BY THE CHEROKEE NATION:

#### SECTION 1. TITLE AND CODIFICATION

This Act shall be known, and may be cited as the “**Hearing Aid Expansion Act of 2022**” and codified under Title 18, Article 3, §18 of the Cherokee Nation Code Annotated (CNCA).

#### SECTION 2. PURPOSE

The purpose of this Act is to expand the jurisdictional boundaries of the Cherokee Nation Health Services Hearing Aid Program to all citizens of the Cherokee Nation living in the United States, allowing at-large citizens to have access to this benefit.

#### SECTION 3. LEGISLATIVE HISTORY

L.A. 16-96  
L.A. 01-00  
L.A. 38-00  
L.A. 02-03  
L.A. 04-04  
L.A. 36-05  
L.A. 25-11  
L.A. 34-17  
L.A. 11-20

#### SECTION 4. SUBSTANTIVE PROVISIONS

##### §18. Monthly cash dividend

B. Those for-profit corporations in which Cherokee Nation is the sole or majority

shareholder, and that are incorporated under Cherokee Nation law, shall issue a monthly cash dividend in the amount of five percent (5%) of net income which will be set aside exclusively for contract health services for Cherokee Nation citizens, including, but not limited to, eyeglasses, dentures, prostheses, cancer treatments and hearing aids. Funds expended under this Section shall be expended for Cherokee Nation citizens who reside anywhere within the fourteen county jurisdictional area, except for the Cherokee Nation Health Services Eyeglass and Hearing Aid Programs, which shall be expanded to any Cherokee Nation citizen living within the United States, so long as the citizen receives the vision or hearing screening in one of Cherokee Nation's health facilities.

**SECTION 5. PROVISIONS AS CUMULATIVE**

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

**SECTION 6. SEVERABILITY**

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

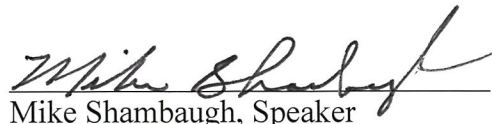
**SECTION 7. EMERGENCY DECLARED**

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 and be in full force after its passage and approval.

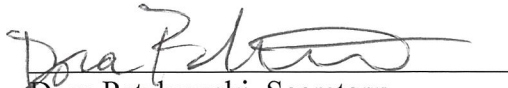
**SECTION 8. SELF-HELP CONTRIBUTIONS**

To the extent that this Act involves programs or services to citizens of the Nation or others, self-help contributions shall be required, unless specifically prohibited by the funding agency, or a waiver is granted due to physical or mental incapacity of the participant to contribute.

Enacted by the Council of the Cherokee Nation on the 14<sup>th</sup> day of March, 2022.

  
Mike Shambaugh, Speaker  
Council of the Cherokee Nation

**ATTEST:**

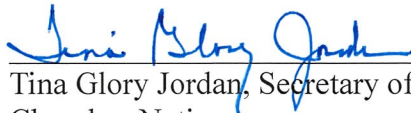
  
Dora Patzkowski, Secretary  
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 18<sup>th</sup> day of March, 2022.



\_\_\_\_\_  
Chuck Hoskin, Jr., Principal Chief  
Cherokee Nation

**ATTEST:**



\_\_\_\_\_  
Tina Glory Jordan, Secretary of State  
Cherokee Nation

**YEAS AND NAYS AS RECORDED:**

Rex Jordan	<u>Yea</u>	Victoria Vazquez	<u>Yea</u>
Wes Nofire	<u>Yea</u>	Dora Patzkowski	<u>Yea</u>
Candessa Tehee	<u>Yea</u>	Keith Austin	<u>Yea</u>
Shawn Crittenden	<u>Yea</u>	Danny Callison	<u>Yea</u>
Daryl Legg	<u>Yea</u>	Joshua Sam	<u>Yea</u>
E.O. Smith	<u>Yea</u>	Melvina Shotpouch	<u>Yea</u>
Mike Dobbins	<u>Yea</u>	Julia Coates	<u>Yea</u>
Joe Deere	<u>Yea</u>	Johnny Kidwell	<u>Yea</u>
Mike Shambaugh	<u>Yea</u>		

# Cherokee Nation Act/Resolution Proposal Form

Act       Resolution

<b><u>ADMINISTRATIVE CLEARANCE</u></b>	
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:	
Signature/Initial	Date

**TITLE:**

**A LEGISLATIVE ACT AMENDING TITLE 18,  
ARTICLE 3, SECTION 18 OF THE CHEROKEE  
NATION GENERAL CORPORATION ACT,  
EXPANDING THE ACCESS FOR CHEROKEE  
NATION CITIZENS TO THE CHEROKEE NATION  
HEALTH SERVICES HEARING AID PROGRAM,  
PROVIDING FOR SEVERABILITY AND  
DECLARING AN EMERGENCY**

DEPARTMENT CONTACT: Chuck Hoskin Jr.

RESOLUTION PRESENTER: Taralee Montgomery

COUNCIL SPONSOR: Johnny Kidwell, \_\_\_\_\_

**NARRATIVE:**

This Act shall be known, and may be cited as the **“Hearing Aid Expansion Act of 2022”** and codified under Title 18, Article 3, §18 of the Cherokee Nation Code Annotated (CNCA).

<b><u>LEGISLATIVE CLEARANCE:</u></b>	
Legal & Legislative Coordinator:	
Signature/Initial	Date
<i>Stoke</i>	<i>2/8/22</i>
Signature/Initial	Date
<i>Shambaugh</i>	<i>2/24/22</i>

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