



Legislation Text

File #: 08-110, Version: 2

AN ACT ESTABLISHING ADDITIONAL CHEROKEE NATION HEALTH CLINICS, IDENTIFYING FUNDING AND ESTABLISHING TIME FRAMES FOR CONSTRUCTION BE IT ENACTED BY THE CHEROKEE NATION:

Section 1. Title and Codification

This act shall be known as the “Comprehensive Health Facility Act of 2008” and codified under (Title) _____ of the Cherokee Nation Code Annotated (CNCA).

Section 2. Purpose

The purpose of this Act is to establish and provide for, the creation and funding for four (4) additional health clinics within the Cherokee Nation and establish timelines for the construction thereof.

Section 3. Legislative History

Article VI Section 7 states: The Council shall have the power to establish laws which it shall deem necessary and proper for the good of the Nation, which shall not be contrary to the provisions of this Constitution. The style of all bills shall be: “Be It Enacted By The Cherokee Nation”. The style of all resolutions shall be “Be It Resolved By the Cherokee Nation”.

Section 4. Definitions

- A. Indian Health Service Program: Health programs delivered by the Indian Health Service of the United States.
- B. W.W. Hastings Hospital: Full service hospital, located at Tahlequah, Oklahoma.
- C. Intra-Governmental Personnel Agreements: Agreement with employees of W.W. Hastings that allow continued employment with the United States Government.

Section 5. Substantive Provisions

- A. The Cherokee Nation shall establish the following health clinics:
 - 1) New medical clinic located at Tahlequah, Oklahoma.
 - 2) New medical clinic at Jay, Oklahoma.
 - 3) Dental clinic at Salina, Oklahoma.
 - 4) New medical clinic at Vinita, Oklahoma
- B. That within six (6) months from effective date of this Act, the Cherokee Nation shall identify the source of the appropriate funding level for the construction of the medical and dental clinics listed in Subsection A of this Act. The source of funds may include, but not be limited to, tribal discretionary funds, issuance of bonds, loans or other general obligations.
- C. The Cherokee Nation shall, in conformance to a master capital improvement plan adopted by the Cherokee Nation

Government, construct the medical and dental clinics listed in Subsection A of this Act

- D. That the Cherokee Nation shall not object to the continuance of the Intra-Governmental Personnel Agreements established between current employees of W.W. Hastings Hospital, having the result that employees who currently choose to remain Federal Employees will continue to have that option. Notwithstanding the foregoing, the Cherokee Nation reserves the right to not renew any Intra-Governmental Personnel Agreements due to disciplinary or work performance reasons.

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. Effective Date

This act shall become effective upon date of execution in accordance with the Cherokee Nation Constitution.