



## Legislation Text

File #: 22-035, Version: 1

### **A LEGISLATIVE ACT AMENDING TITLE 63, CHAPTER 2, CHEROKEE NATION COMPREHENSIVE CARE AGENCY ORGANIC ACT, 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 “**Cherokee Nation Comprehensive Care Agency Board Member Act of 2022**” and codified under Title 63, Chapter 2 of the Cherokee Nation Code Annotated (CNCA).

#### **SECTION 2. PURPOSE**

The purpose of this Act is to clarify the Board of Directors composition and provide for payment for serving on the Board of Directors for the Cherokee Nation Comprehensive Care Agency.

#### **SECTION 3. LEGISLATIVE HISTORY**

L.A. 03-04

#### **SECTION 4. SUBSTANTIVE PROVISIONS**

##### **§104.1. Conflict of Interest with Cherokee Nation Home Health Services, Inc.**

To prevent any potential conflict of interest related to preference in vendors for Cherokee Nation Comprehensive Care Agency, no Board member shall serve on both the Cherokee Nation Comprehensive Care Agency Board of Directors and the Cherokee Nation Home Health Services, Inc. Board of Directors.

##### **§104.2. Payment to Board of Directors Members**

Each board member will be compensated a reasonable fee for serving on the Board of Directors for the Cherokee Nation Comprehensive Care Agency. Such fee shall be determined through the budgeting and appropriations process.

#### **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.