

## **Chapter 12. Health Department**

### **15.1201 PURPOSE**

This Statute is hereby enacted to establish the Health Department that is responsible for overseeing all Health related programs and personnel including physical and mental health to ensure a holistic approach by respecting and intertwining both modern and traditional healing.

(Source: WOS 2010-002, June 6, 2010, Section I)

### **15.1202 DEFINITIONS**

- A.** “Anishinaabemowin” means the language spoken by the Odawa people.
- B.** “Cultural” means aspects of the Odawa history, spirituality, traditions, arts and crafts, values and mannerisms.
- C.** “Cultural Proficiency” means the knowledge, skills, and attitudes/beliefs that enable a person to work well with, respond effectively to, and be supportive of the Odawa Citizens.
- D.** “Department” means Health Department.
- E.** “Director” means the Health Department Director.
- F.** “Tribe” means the Little Traverse Bay Bands of Odawa Indians.

(Source: WOS 2010-002, June 6, 2010, Section II)

### **15.1203 CREATION OF THE DEPARTMENT**

- A.** Pursuant to Article VII (D) (22) of the Tribal Constitution the Tribal Council shall have the power to: “Approve the creation or dissolution of Executive divisions or departments to promote and protect the peace, health, safety, education, and general welfare, including but not limited to cultural and natural resources, of the Little Traverse Bay Bands of Odawa Indians and its members”.

**B.** The Tribal Council hereby approves the creation of the Health Department within the Executive Branch of government.

(Source: WOS 2010-002, June 6, 2010, Section III)

#### **15.1204 AUTHORITY AND DUTIES**

**A.** The Department shall have the following duties under the direction of the Director:

- 1.** Promote, design and implement health programs for each facet of our tribal community.
- 2.** Strive to improve and enhance the understanding of health related issues within our community and in the greater community.
- 3.** Assist with annual community events that incorporate health and wellbeing.
- 4.** Provide services and programs that increase health and wellbeing.
- 5.** Administer health-based programs, grants and projects that assist our Tribal Citizens with an awareness of the unique needs of our Tribal Citizens.
- 6.** Establish more interactive resources for tribal citizens that utilize the most current and feasible technologies.
- 7.** Administer all Indian Health Services' health-related programs and funding received by the Tribe, as appropriate.
- 8.** Administer all funds and grants to the Tribe related to health matters, as appropriate.
- 9.** Establish appropriate programs such as health clinic, dental clinic, contract health, healthy start, community outreach, diabetes self-management, substance abuse, mental health and any other applicable health related opportunities.

(Source: WOS 2010-002, June 6, 2010, Section IV)

#### **15.1205 STAFFING**

**A.** The Department shall begin operations with current staff of the health clinic, dental clinic, contract health, healthy start, community outreach, diabetes self-management, substance abuse, mental health and any other applicable health related department, division or program, as appropriate.

**B.** The Director shall authorize and implement such divisions and programs as necessary to meet the health related needs of the Tribal community.

**I.** Only persons who possess cultural proficiency shall be eligible for hire in this Department with the exception of hiring persons that provide technical expertise outside of the Odawa Cultural or Anishinaabemowin.

(Source: WOS 2010-002, June 6, 2010, Section V)

#### **15.1206 REGULATIONS REQUIRED**

Any regulations shall be developed by the Executive Branch and presented to Tribal Council for approval in accordance with the Administrative Procedures Act.

(Source: WOS 2010-002, June 6, 2010, Section IV)

#### **15.1207 APPROPRIATIONS AUTHORIZED**

Any current appropriations for the health clinic, dental clinic, contract health, healthy start, community outreach, diabetes self-management, substance abuse, mental health and any other applicable health related department, division or program, as appropriate, shall be used to implement this Statute and the Executive shall present Tribal Council with future annual budgets necessary to implement this Statute.

(Source: WOS 2010-002, June 6, 2010, Section VII)

#### **15.1208 SEVERABILITY**

If any section, subsection, paragraph, sentence, phrase or portion of this Statute is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

(Source: WOS 2010-002, June 6, 2010, Section VIII)

#### **15.1209        EFFECTIVE DATE**

Effective upon signature of the Executive or 30 days from Tribal Council approval whichever comes first or if the Executive vetoes the legislation, then upon Tribal Council override of the veto.

(Source: WOS 2010-002, June 6, 2010, Section IX)