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OSAGE NATION CONGRESS

4th Session of the 1st Congress

BILL NUMBER ONCA 07-63

ENROLLED

April 10, 2008

SPONSOR: Debra Atterberry

An Act

To create the Division of Health and Wellness Services within the Executive Branch of the Osage Nation; to authorize departments of the Division; to authorize organization of personnel within the Division; to authorize travel and; to require annual reporting to the Osage Nation Congress.

Be it enacted by the Congress of the Osage Nation:

SECTION 1. SHORT TITLE

This Act may be cited as the “Osage Nation Health and Wellness Division Organization Act”.

SECTION 2. PURPOSE

To ensure that the Osage Nation provides essential health, fitness and wellness services to its members and to encourage prioritization regarding the Nation’s contribution and commitment to other individuals residing within the Osage Nation Reservation by establishing authority for coordinating the delivery of those services for the ultimate benefit of the Nation’s government and constituents.

SECTION 3. COMPOSITION

- A. There is created a Health and Wellness Division within the Executive Branch of the Osage Nation government.
- B. The Division shall consist of the following Departments:
 - 1. Medical/Clinical Services Department.
 - 2. Behavioral/Mental Health Department.
 - 3. Health Promotion and Disease Prevention Department.

47 **SECTION 4. DUTIES AND RESPONSIBILITIES OF THE DEPARTMENTS WITHIN THE**
48 **HEALTH AND WELLNESS DIVISION**

49
50 The powers and responsibilities of the departments within the Division of Health
51 and Wellness shall be the powers and duties now or hereafter conferred upon or required
52 of each by the Constitution or by the common and statutory law of the Nation or by
53 mission statement.

54
55 **SECTION 5. PERSONNEL**

56
57 There are hereby authorized personnel to carry out the duties and responsibilities
58 associated with the operation of the Health and Wellness Division. The authorized
59 personnel shall be set forth as follows, but other positions may from time to time be
60 created and budgeted in order to facilitate the objectives of the Division:

61
62 A. Leader and Directors:

- 63
64 1. Health and Wellness Division Leader – The Division Leader shall
65 be the head of the Health and Wellness Division and shall have no
66 less than a Master’s of Public Health Administration and at least
67 five (5) years of management experience and/or an advanced
68 degree in a related field of management, public health law,
69 planning, organization, and finance. The incumbent must be able
70 to demonstrate exemplary leadership and organization skills in
71 order to meet the goals and objectives of the Division.
72
73 2. Department Directors – The Department Directors shall be
74 qualified in the areas of health and wellness, as well as possess
75 supervisory and management skills in accordance with the job
76 description, for the position, on file in the Osage Nation Human
77 Resources Department. The incumbent must exemplify attributes
78 of leadership and organization skills in order to meet the goals and
79 objectives of their respective department within the Division.

80
81 B. All Division personnel shall be hired in accordance with the organizational
82 chart that has been authorized and funded, on an annual basis, by the
83 Osage Nation Congress.

84
85 C. All Division personnel shall be compensated pursuant to established
86 Osage Nation personnel policies and procedures.

87
88 D. No authorized position shall be filled unless and until funds are
89 appropriated or granted to the Division for compensation of such position.
90
91
92

93 **SECTION 6. DIVISION LEADER - AUTHORITY, RESPONSIBILITIES, AND DUTIES**

94
95 The Division Leader of the Division of Health and Wellness is authorized and
96 directed to:

- 97
98 A. Formulate overall administrative and operating policies pertaining to the
99 Division and to take such action deemed necessary for the
100 accomplishment and enforcement thereof.
101
102 B. Supervise Department Directors and exercise, through department
103 directors, supervisory authority and direction over all personnel within the
104 Division.
105
106 C. To provide, no less than annually, a report on the performance and
107 accomplishments of the Division for appropriation purposes.
108
109 D. Represent the Division in executive level planning.
110
111 E. Represent the Osage Nation government in the Nation's dealings and
112 relations with all persons and organizations outside the Osage Nation
113 government relative to the Division.
114
115 F. Conduct such special projects and programs as may be assigned.
116
117 G. Timely oversee the development of departments within the Division
118 performance plans and budgets for the Division.
119
120 H. Review and authorize travel requests of Division Directors.
121
122 I. Track the financial reporting and performance of all grants and contracts
123 administered by the Division.
124
125 J. Perform all duties and responsibilities of the office in accordance with the
126 highest standards of legal ethics as required by the Osage Constitution and
127 law.
128

129 **SECTION 7. DEPARTMENT DIRECTORS WITHIN THE DIVISION -AUTHORITY,**
130 **RESPONSIBILITIES, AND DUTIES**

131
132 Each Department Director within the Division of Health and Wellness is
133 authorized and directed to:

- 134
135 A. Formulate specific goals and objectives pertaining to the department, and
136 to take such action delegated to them necessary for the accomplishment
137 and enforcement thereof.
138

- 139 B. Exercise supervisory authority and direction over all personnel within the
140 department.
141
- 142 C. Report no less than semi-annually to the Division Leader regarding the
143 accomplishment of the purposes and objectives of the department in
144 furtherance of needs of the Osage Nation relating to activities and services
145 of the department.
146
- 147 D. Monitor the work of all department employees and undertake and submit
148 employee performance reviews no less than annually.
149
- 150 E. Represent the department in Division level planning.
151
- 152 F. Represent the department when requested with all persons and
153 organizations outside the Osage Nation government relative to department
154 activities.
155
- 156 G. Conduct such special projects and programs as may be assigned.
157
- 158 H. Develop performance plans and budgets as requested by the Division
159 Leader.
160
- 161 I. Approve all travel within the department.
162

163 **SECTION 8. AUTHORITY TO TRAVEL ON OFFICIAL BUSINESS**
164

165 All personnel with the Division are authorized to travel on official government
166 business and to be compensated for expenses in connection with that travel, but only in
167 accordance with established Osage Nation policy relating to same and only to the extent
168 that such travel directly relates to a defined job responsibility of the personnel traveling.
169

170 **SECTION 9. SUPERSESSION AND SAVINGS CLAUSE**
171

172 Any other resolution, ordinance, order, or act of the Osage Nation inconsistent
173 with the law herein is superseded; provided, that upon adoption of this act authorizing the
174 creation of this Division all powers, rights, responsibilities and obligations of the
175 Division not inconsistent with this new act shall pass immediately and without
176 interruption.
177

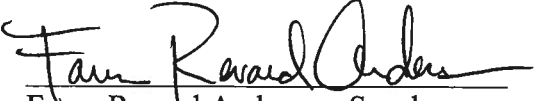
178 **SECTION 10. DECLARATION OF EMERGENCY AND EFFECTIVE DATE**
179

180 An emergency exists. This bill is effective upon signature of the Principal Chief
181 or upon signature of the Speaker of the Osage Nation Congress following legislative
182 override.
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ENACTED by the Osage Nation Congress on this 10TH day of April, 2008.

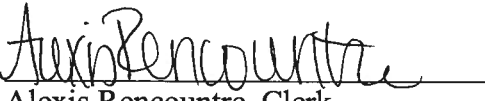
IN WITNESS WHEREOF, the Speaker of the Osage Nation Congress has hereto attached his signature.


Faren Revard Anderson, Speaker
Osage Nation Congress

I, THE UNDERSIGNED, CERTIFY THAT THE FOREGOING IS A TRUE EXTRACT FROM THE MINUTES OF THE Osage Nation Congress comprised of twelve members and one ex-officio member with 11 members attending this meeting on the 10TH day of April, 2008, and that the above is in conformity with the provisions therein adopted by a vote of 10 in favor, 0 against, and 2 absent.

- | | |
|------------------------|--------|
| Faren Revard Anderson | yes |
| Jerri Jean Branstetter | absent |
| Shannon Edwards | yes |
| Mark Freeman | yes |
| Debra Atterberry | yes |
| Archie Mason | absent |
| Raymond Red Corn | yes |
| Eddy Red Eagle, Jr. | yes |
| Doug Revard | yes |
| Anthony Shackelford | yes |
| Mark Simms | yes |
| William Supernaw | yes |

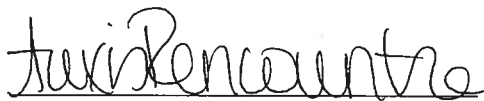
Said Bill has not been rescinded or amended in any way and the above is the signature of the Speaker of the Osage Nation Congress.


Alexis Rencountre, Clerk
Osage Nation Congress

231 **EFFECTIVE DATE CERTIFICATION**

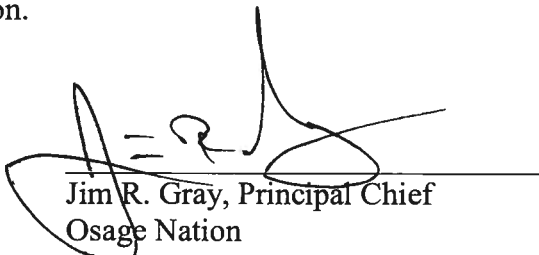
232
233 I, THE UNDERSIGNED, CERTIFY THAT THE FOREGOING EFFECTIVE DATE
234 was approved by a two-thirds vote of the Osage Nation Congress in accordance with the
235 Constitution of the Osage Nation Article VI, Section 13. This provision was adopted by
236 a vote of 10 in favor, 0 against, and 2 absent.

237
238 Faren Revard Anderson yes
239 Jerri Jean Branstetter absent
240 Shannon Edwards yes
241 Mark Freeman yes
242 Debra Atterberry yes
243 Archie Mason absent
244 Raymond Red Corn yes
245 Eddy Red Eagle, Jr. yes
246 Doug Revard yes
247 Anthony Shackelford yes
248 Mark Simms yes
249 William Supernaw yes

250
251 
252 Alexis Rencountre, Clerk
253 Osage Nation Congress
254
255

256
257 **APPROVAL**

258
259
260 I, the Principal Chief of the Osage Nation, hereby affix my signature this 16 day of
261 April, 2008, to the above Bill No. ONCA 07-63 authorizing it to become
262 a law under the Constitution of the Osage Nation.

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264 
265 Jim R. Gray, Principal Chief
266 Osage Nation
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