

**RESOLUTION OF THE
BOARD OF DIRECTORS OF THE
GILA RIVER HEALTH CARE CORPORATION**

[April 9, 2020]

[Section 813 Authorization - Public Health Emergency]

[First Responder Testing]

WHEREAS, the Gila River Health Care Corporation (“GRHC”), a subordinate economic entity of the Gila River Indian Community (the “Community”), vested with sovereign immunity, is operated through a duly appointed Board of Directors (the “Board”); and

WHEREAS, GRHC is a tribal organization within the meaning of the Indian Health Care Improvement Act (“IHCA”) and the Indian Self-Determination and Education Assistance Act (“ISDEAA”), and provides health care services pursuant to the compact of self-governance and associated funding agreements between the Gila River Indian Community (the “Community”) and the United States (the “Compact and Funding Agreement”); and

WHEREAS, on March 13, 2020, the President of the United States declared a national health emergency with regard to the coronavirus / COVID-19 pandemic; and

WHEREAS, the Governor of the Community and the Community Courts have issued orders to address the public health emergency and to take actions to prevent the spread of COVID-19; and

WHEREAS, Section 813(c)(2) of the IHCA [25 U.S.C. § 1680c(c)(2)] provides that:

“the governing body of the Indian tribe or tribal organization [operating a health program under ISDEAA] is authorized to determine whether health services should be provided under such contract or compact to individuals who are not [otherwise] eligible for such health services...under any other provision of law [so long as] the provision of such health services will not result in a denial or diminution of health services to eligible Indians.”

WHEREAS, Section 813(d) of the IHCA [25 U.S.C. 1680c(d)] authorizes services to "achieve stability in a medical emergency" and "to prevent the spread of communicable disease or otherwise deal with a public health hazard"; and

WHEREAS, GRHC has determined that it is in the interest of the public health, GRHC patients and GRHC staff to assist first responders who serve the Community, regardless of

Indian status ("First Responders"), and who screen as suspected COVID-19, to obtain a test for confirmation of COVID-19; and

WHEREAS, GRHC has determined that such services, with or without a payor source, will not be material to GRHC financial operations and will promote the delivery of health care to all served by GRHC rather than result in a denial of care or diminution of services per IHCIA Section 813; and

NOW, THEREFORE, BE IT RESOLVED, that GRHC, after taking into account the considerations required by IHCIA Sections 813(c)(2) and (c)(1)(B) [25 U.S.C. §§ 1680c(c)(2) and (c)(1)(B)], hereby determines that providing COVID-19 testing services to First Responders during the current public health emergency regardless of payor source or Indian status: (1) is in furtherance of the Compact and Funding Agreement, (2) will promote the health of GRHC patients and staff, (3) will not result in a denial or diminution of care to eligible Indians, and (4) is necessary or appropriate in achieving stability in a medical emergency and in preventing the spread of communicable disease or otherwise dealing with a public health crisis per IHCIA Section 813; and

BE IT FURTHER RESOLVED, that the Chairman of the Board is authorized to execute such additional documents as may be necessary to achieve the purposes of these resolutions; and

BE IT FURTHER RESOLVED, that all actions taken herein are taken as a Board and in each Board member's official capacity.

CERTIFICATION

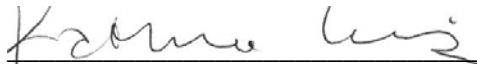
We, the undersigned Chairperson and Secretary of the Board hereby certify that at a meeting of the Board, held on the 9th day of April, 2020, at which a quorum was present, the foregoing Resolution was duly adopted by a vote of 3 for 0 against 0 absent 0 abstaining, 1 chairing 1 vacancy.

Date: 4/10/2020



Chairperson

Date: 4/10/2020



Secretary

Witness: 