

# Oneida Nation

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Oneida, WI 54155

## BC Resolution # 09-22-21-C

### Extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Nation has received funding from the US Department of Health and Human Services - Indian Health Service (IHS) through the American Rescue Plan Act (ARPA); and
- WHEREAS,** the IHS allocated ARPA funding to the Oneida Nation for COVID-19 Vaccine-related activities to be used for necessary expenses to plan, prepare for, promote, distribute, administer, and track COVID vaccines and other vaccine related activities; and
- WHEREAS,** during both IHS Bemidji Area and National IHS meetings, tribal governments asked if IHS ARPA funds allocated for vaccine-related activities can be used to incentivize people who receive COVID-19 vaccinations; and
- WHEREAS,** the IHS Bemidji Area provided a frequently asked questions guidance developed by the US Department of Health and Human Services' Office of Inspector General (dated May 24, 2021) which states that using ARPA funds in the limited context of the COVID-19 public health emergency, a health care provider offering or providing a reward or incentive in connection with the beneficiary receiving the COVID-19 vaccine (either one or both doses) would be sufficiently low risk under the Federal anti-kickback statute and Beneficiary Inducements CMP if the identified six (6) safeguards were met (see below); and
- WHEREAS,** the Oneida Business Committee adopted resolution # BC-06-30-21-A, *Adoption of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members*, which provides that:
1. The Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members (Plan) is approved,
  2. The Plan provides current Oneida Nation employees who are not enrolled Oneida members that are age eighteen (18) and older, a five hundred dollar (\$500.00) incentive payment after voluntarily providing proof of the completion of the full manufacturer-recommended dose(s) of a COVID-19 vaccine or, in other words, who are fully vaccinated against COVID-19,
  3. The use of IHS ARPA funds to pay for the portion of eligible Oneida employees who are not enrolled Oneida members is approved,

4. The Oneida Human Resources Department – Compensation and Benefits Director, Josh Cottrell, is assigned as the project owner,
5. The use of the IHS ARPA funds complies with the following six (6) standards identified in the US Department of Health and Human Services' Office of Inspector General frequently asked questions document (last updated on May 24, 2021/retrieved on June 25, 2021); and

**WHEREAS,** resolution BC-06-30-21-A identified the Plan began July 1, 2021 and will conclude September 30, 2021;

**WHEREAS,** having a vaccinated employment base better protects the Oneida Nation membership when the membership comes in direct contact with the Nation's employees; and

**WHEREAS,** the Oneida Business Committee believes extending the program is in the best interest for the health and welfare of the Oneida Nation, its membership, its employment base, and the Nation's neighbors.

**NOW THEREFORE BE IT RESOLVED,** the Oneida Business Committee approves the extension of the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Members.

**BE IT FINALLY RESOLVED,** the Oneida Nation Employee Vaccination Incentive Plan for Employees Who Are Not Oneida Nation Member will conclude on March 31, 2022 or when the Oneida Nation ends the Public Health State of Emergency due to COVID-19, whichever comes first.

#### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 22<sup>nd</sup> day of September, 2021; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting\*; and that said resolution has not been rescinded or amended in any way.

  
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Lisa Liggins, Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."