

MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 23-45 FISCAL YEAR 2024 MENOMINEE TRIBAL CLINIC THIRD-PARTY REVENUE APPROPRIATIONS

FINAL CONSIDERATION

BE IT ORDAINED BY THE LEGISLATURE OF THE MENOMINEE INDIAN TRIBE OF WISCONSIN:

The attached Ordinance No. 23-45, entitled "Fiscal Year 2024 Menominee Tribal Clinic Third-Party Appropriations", is hereby enacted into Tribal law pursuant to the provisions of the document attached hereto and incorporated herein as if fully reproduced here. The anticipated fund revenues and expenditures for Fiscal Year 2024 shall not exceed \$16,786,313. This ordinance shall go into effect on October 1, 2023.

CERTIFICATION

The undersigned officers of the Menominee Tribal Legislature do hereby certify that the foregoing Ordinance was duly **adopted** at a regular meeting of the Menominee Tribal Legislature held on September 21, 2023, by a vote of **7** for, **0** opposed, **1** abstention, and **1** absent.

The undersigned also certify that the above Ordinance has been posted in accordance with the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin.

GENA KAKKAK, CHAIRWOMAN MENOMINEE INDIAN TRIBE OF WISCONSIN

Date: SEPTEMBER 21, 2023

SPENCER GAUTHIER, SECRETARY

MENOMINEE INDIAN TRIBE OF WISCONSIN

Tribal Administration

TO:Menominee Tribal LegislatureFROM:Josh Pyatskowit, Assistant Tribal AdministratorSUBJECT:FY2024 Clinic Third Party OrdinanceDATE:September 19, 2023

At the September 7th meeting of Menominee Tribal Legislature, there were questions regarding the increase in the pharmacy budget request and the decrease in behavioral health. Administration reached out Clinic staff on your questions and received the following comments addressing the concerns raised.

Cost	Clinic Department Name	Comments
Center 1215	Pharmacy	 Budget changes due to: increase in fringes for the shed runners – these two positions are moving from temporary full time with no health benefits to regular full time with health benefits - \$49,296 Increase for implementation of MTC 340 B Program: Software upgrade - \$40,000 training/certification - \$1,000 340B drug purchases - \$750,000 increase to regular drug inventory costs based on current FY23 expenditures - \$210,000 increase to overall salary/fringe based on cola and merit increases - \$128,491 decrease in indirect costs based on proposed rate decrease – (\$134,445) Total overall increase to pharmacy budget from FY23 to FY24 = \$1,044,342 and is largely due to the implementation of costs of the 340B program.
1222	Behavioral Health	 Budget changes due to: Decrease in salary/fringe – Director eliminated two positions that were hard to fill and proposed upgrades to current filled positions due to market demand for retention purposes. The overall dollar impact for these staffing changes resulted in a decrease to salary and fringes of (\$108,131). Increase in contractual services – Director increased this expense line to add another provider under a contractual arrangement to offset the two eliminated staff positions - \$93,000. decrease in indirect costs based on proposed rate decrease and reduction of two regular staff positions – (\$144,942) Total overall decrease to Behavioral Health budget from FY23 to FY24 = (\$160,073) and is due to the staffing plan changes.

MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 23-45 FISCAL YEAR 2024 APPROPRIATIONS

- **1. TITLE.** This ordinance shall be entitled "Fiscal Year 2024 Menominee Tribal Clinic Third-Party Revenue Appropriations".
- 2. DESIGNATION OF FISCAL YEAR. In accordance with Article XVI, Section 3 of the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin, the Menominee Tribal Legislature hereby designates the period beginning October 1, 2023, and ending September 30, 2024, as its fiscal year for 2024.
- 3. ANNUAL BUDGET. In accordance with Article XVI, Section 1 of the Constitution and Bylaws of the Menominee Indian Tribe of Wisconsin, the anticipated fund revenues and expenditures for Fiscal Year 2023 is hereby appropriated and approved for the operation of the Menominee Tribal Clinic and its activities for the fiscal year and shall not exceed \$16,786,313.
- 4. **EXHIBIT "A".** The listing of functions and amounts appearing as Exhibit "A" are hereby incorporated by reference into this budget ordinance. The Menominee Tribal Clinic Administration will monitor and review the functions and amounts listed and may adjust the appropriated amounts between functions, as it may deem appropriate and necessary to carry out the operations and activities of the Menominee Tribal Clinic. In no event will the adjustments exceed the \$16,786,313 currently appropriated by this ordinance.
- 5. COPIES OF APPROPRIATIONS ORDINANCE. Copies of this appropriations ordinance shall be furnished to the Finance Manager and Tribal Administrator, to be kept on file by them for their direction in the collection of revenues and expenditures of amounts appropriated. The Tribal Administrator shall distribute copies of this appropriations ordinance as appropriate.

6. RESPONSIBILITIES OF BUDGET MANAGERS

- 6.01 <u>"Budget Manager"</u>. For the purpose of this ordinance, the term "budget manager" means any person authorized to submit a budget application and who is responsible for planning, directing and controlling funds appropriated under this ordinance, regardless of their actual title or organizational affiliation.
- 6.02 <u>Budget Monitoring</u>. All budget managers shall monitor their budgets and ensure that financial authorizations and approvals issued are within annual appropriated amounts.
- 6.03 <u>Spending Priority</u>. All budget managers shall expend available non-Tribal funds prior to the expenditure of funds appropriated under this ordinance, unless otherwise required to satisfy cost sharing (match) requirements or when other funding sources are not available to cover expenditures. The Tribal Administrator shall provide clarification and guidance on spending priorities as needed.

6.04 To the maximum extent practicable, new funding opportunities shall be used to cover expenditures authorized to be funded by third-party funds; provided that, such expenditure is permissible and does not constitute supplanting of funds.

7. CERTAIN WAGE OR BENEFIT LIMITATIONS AND RESTRICTIONS

- 7.01 The following recommendations of the Budget and Finance Committee shall be implemented effective as of October 1, 2023 and expire at the end of the fiscal year:
 - A. A 1.5% Cost of Living Adjustment (COLA) for all tribal employees shall be provided effective as of January 1, 2024;
 - B. The Tribe's 401k matching contribution for all tribal employees will remain at 4%;
 - C. Performance evaluations for employees to be completed by the respective supervisors as scheduled and employees may receive up to a 2.5% increase;
 - D. All employees who are classified as part-time shall not work in excess of 29 hours per week.
- 7.02 If any part, term, or provision of this section or the recommendations contained in Exhibit "A" are inconsistent or in conflict with the terms or conditions of any Tribal law, regulation, or policy, the terms and conditions described in this ordinance shall prevail.

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543,031 3,429,800 2,886,769 53 255,060 25,180 (226,880) -6 FES (TRIBAL) - 111,114 111,114 3,000 3,000 3,000 - 111,114 aith 222,058 12,350 - - LECTED TOTALS ★ \$ 14,296,476 \$ 16,786,313 \$ 2,489,837 1	otometry	236,424	264,350	27,926		
253,060 26,180 (226,880) -6 FES (TRIBAL) 158,937 21,650 (137,287) -6 aith 3,000 3,000 3,000 -111,114 -111,114 LECTED TOTALS ▶ \$ 14,296,476 \$ 16,786,313 \$ 2,489,837 1	Jarmacy	543,031	4	2,886,769	531.60%	
158,937 21,650 (137,287) -E >ES (TRIBAL) - - 111,114 111,114 alth 2,000 3,000 3,000 - - alth 222,058 12,350 - - - LECTED TOTALS ▶ \$ 14,296,476 \$ 16,786,313 \$ 2,489,837 1	iysical Therapy	· 253,060	26,180	(226,880)	-89.65%	
FES (TRIBAL) - 111,114 111,114 111,114 111,114 3,000 3,000 3,000	shool Dental Hygiene	158,937	21,650	(137,287)	-86.38%	
D TOTALS → \$ 14,296,476 \$ 16,786,313 \$ 2,489,837 1	ES (TRI	1	111,114	111,114	N/A	
CTED TOTALS → \$ 14,296,476 \$ 16,786,313 \$ 2,489,837	eliness Program	3,000		1	0.00%	
\$ 14,296,476 \$ 16,786,313 \$ 2,489,837	omen's Personal Health	222,058	12,350			
\$ 14,296,476 \$ 16,786,313 \$ 2,489,837						
	SELECTED TOTALS				17.42%	
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