

Act 09-25

An Act amending Title 8, chapter 13, subchapter 4, sections 3171, 3173, and 3175 to remove Band Assembly from the process of inspecting and licensing foster families, and the appeal, denial, or revocation of a foster care license.

The District 2 Representative introduced the following Bill on the 19th day of February, 2025.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending Title 8, chapter 13, subchapter 4.

§ 3171. Inspection and Licensing Procedures.

- (a) The Mille Lacs Band Family Services department shall select one (1) or more persons as the Foster Home Licensor. The Foster Home Licensor shall examine homes of Band members and others who seek to foster Band children. The Foster Home Licensor shall submit a recommendation to the ~~Band Assembly~~ Director of Family Services, who shall act upon said recommendation within 30 calendar days of receipt.

§ 3173. The Foster Family.

- (f) **Family Composition.** A foster home does not necessarily have to have both a male and a female foster parent. The Foster Home Licensor may, at his discretion, certify a foster home with a single foster parent or same sex partners who wish to be foster parents, provided that each foster parent displays the outstanding qualities necessary to raise a foster child. Without specific approval by the ~~Band Assembly~~ Director of Family Services, a foster home shall not be licensed whenever any member of the family is mentally ill or on convalescent status from a mental hospital or is on parole or probation or an inmate of a penal or correctional institution.

§ 3175. Appealing a License Denial or Revocation.

- (a) If a Foster Home License is denied or revoked, the prospective foster family may appeal the decision by requesting a review from the Mille Lacs Band Commissioner of Health and Human Services.
- (a)(b) ~~If~~ The Mille Lacs Band Commissioner of Health and Human Services shall grant or deny the appeal after applying the standards implicated in § 3173(i) to the prospective foster family. finds reason to believe the family is fit to be a foster home, he or she

~~may issue a waiver of the denial or revocation, stating the reasons for issuing a license.~~

~~(2) Such waiver shall be submitted to the Band Assembly for a vote. The Band Assembly may seek particular input on the recommendation from the prospective foster family's District Representative.~~

~~(3) If the Band Assembly upholds the denial, that decision shall be final.~~

(c) If the Commissioner denies the prospective foster family's appeal, that decision shall be final.

~~(b)(d)~~ Denial of a Foster Care License due to failure to comply with Federal background standards is not appealable.


EFFECTIVE DATE. This bill shall take effect immediately upon signature by the Chief Executive, or lack of a veto, as provided in 3 MLBS § 17.

Version 1.1

Act 09-25
(Band Assembly Bill 21-03-09-25)

Introduced to the Band Assembly on this
Nineteenth day of February in the year
Two thousand twenty-five.

Passed by the Band Assembly on this
Nineteenth day of February in the year
Two thousand twenty-five.


Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: 2-26-25


Virgil Wind, Chief Executive

OFFICIAL SEAL OF THE BAND

