



MILLE LACS BAND OF CHIPPEWA INDIANS

Ne-Ia-Shing Clinic

Commissioner's Order 127-98

A Commissioner's Order to amend Commissioners Order 115-98 to establish an Emergency Assistance Funds Policy and Procedure Manual for the Emergency Assistance Program of the Health & Human Services Department effective May 12, 1998.

Whereas, pursuant to Title 4 MLBSA § 7(h) and (i), the Commissioner of Health & Human Services has the authority to develop policy in the area under their respective jurisdiction, and;

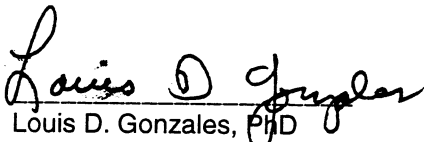
Whereas, the Emergency Assistance Program is in need of an effective policy & procedure manual, and;

Whereas, the current policy and procedure manual does not address all of the needs of Mille Lacs Band members, and;

Whereas, the policy and procedures manual does not give the Emergency Assistance Review Board enough direction to for the acceptance/denial of emergency requests, and;

Now Therefore, by the authority vested in me, I, Louis D. Gonzales, Commissioner of Health & Human Services hereby establish the following Emergency Assistance Fund policy for the Emergency Assistance Program.

Dated at Vineland, Minnesota, this 12th day of May, 1998.



Louis D. Gonzales, PhD
Commissioner of Health & Human Services

APPROVED AS TO FORM,
EXECUTION AND NUMBERING



James Genia
Solicitor General

OFFICIAL SEAL OF THE BAND

Commissioner's Order 127-98

Policy Title: **Emergency Assistance Funds Policy**

#:HHS-0002-EAF

****AMENDED****

Department: **Health & Human Services Division**

Date: 5/12/98

I. Policy Statement:

In order to assist in meeting the emergency needs of Mille Lacs Band members, the Band has established a fund to assist persons who are in need of emergency food, clothing, shelter or transportation and the ancillary costs associated with resolving the above emergency situations. The program is not an entitlement for each Band Member to use every year but, rather, it is a fund to assist persons with valid emergency needs.

II. Purpose:

- a. To assure that Band members in need of emergency assistance have a resource for help in their time of crisis.
- b. To provide criteria for making decisions about approving emergency assistance applications.

Conflict of Interest:

When an immediate family member (see Band Personnel Policy definition), is in need of Emergency Assistance, they must complete their own application and fill out all pertinent forms. Review Board members, Employee or Band members who are related to the applicant must absent themselves from the proceedings during the discussion and decision making.

III. Eligibility/Coverage Criteria:

- a. Applicants must be a Mille Lacs Band member or parent/guardian of enrolled Band child(ren) who are in need of assistance.
- b. Applicants must complete and sign an application form, In addition, a "release of information" form must be completed.
- c. Applicants must present proof of need and the amount needed; eg. eviction notices, shut off notices moving cost estimates, doctor appointment notices. Proof of need must include verification of income and must show reasonable attempts to pay monthly bills.
- d. All approved costs, will be paid directly to the Emergency Assistance vendor or by voucher. This includes local grocery stores, gas stations, retail stores, etc.
- e. The annual maximum emergency assistance in a 12 month period is \$750.00.

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IV. Type of Services Covered:

- a. For **Temporary shelter** costs and/or first month rent and deposit applicant must provide evidence that it is a first time residence.
- b. **Vouchers** for food at local grocery stores. Maximum amount of \$150.00 per family.
- c. Travel expenses in case of family illness, and out of area medical appointments. Travel in case of death in the family will be paid to one designated family member which will cover the cost of traveling.
- d. **Clothing** related to Fire or bonafide victims of theft. Victims of theft must provide police report or other legal evidence of theft. Victims of fire or theft can be provided winter clothing. Winter clothing for children and elders will be given priority once proof is established. When practical client will be referred to area clothing closets for assistance. Maximum amount \$100 can be provided per person once an emergency need has been identified. Persons needing work related clothing/uniforms will be referred to JTPA/Direct Placement for work related assistance.
- e. Partial payment for **energy bills** for persons **not** eligible for energy assistance. Client must provide proof of "best effort" attempts at paying energy and utility costs.
- f. 1st months rent and deposit.
 1. Must provide landlord statement and reasons why leaving previous residence.
 2. Will not cover if eviction is secondary to problems with alcohol and other drugs, and illegal behavior.
 3. This coverage may only be used once per year.
 4. Band members who are moving in with family members will not be eligible to receive first month rent and deposit payments to their relative.

V. Services Not Covered:

- a. Telephone bills (see emergency exceptions)
- b. Late rent
- c. Car/Insurance payments
- d. Court fines/bail
- e. Payments for relocation due to evictions caused by Alcohol or Drug activity is not allowed. A pre-authorized investigation by the eligibility technician will be done assure that the eviction notice was not due to alcohol, drug, or criminal activity.
- f. Utility late payments which do not indicate a history of "best effort" payment.
- g. License renewal penalty fees.
- h. Automobile maintenance /service/repairs.
- i. Any other service not outlined in this policy.

VI. Income Eligibility:

- a. To determine eligibility for this program Mille Lacs Emergency Services will utilize the federal poverty guidelines. Persons whose income is at or below the poverty guidelines or whose income exceeds the guidelines by no more than **125%** will be eligible.
- b. Eligibility will be extended to persons who have a one time episodic/extraordinary need and require immediate temporary assistance. Persons in this category are those whose income exceeds **125%** of poverty but cannot sustain that unexpected emergency need.

VII. Approved Vendor Vouchers:

- a. Applicants must present proof of need and the amount needed eg. eviction notices, shut off notices, moving cost estimates, doctors appointment notices. Proof of need will include verification of income and monthly bills. Once the need is established and approved, a voucher will be approved for a pre-approved vendor. eg. local grocery store, gasoline station, etc. Checks will not be issued to clients requesting their personal choice of vendors if they are to receive assistance. Clients who have returned vouchered merchandise in exchange for cash or non approved items will not be served for one calendar year following the incident.

VIII. Repayment:

- a. Persons whose income exceeds the **125%** of poverty guidelines will be required to payback the money awarded. These funds will be payable to the Emergency Assistance program with no interest. Payment arrangements must be made prior to receiving their grant. All emergency grants should be paid back within 90 days from the date of the grant.

IX. Appeals Process:

All persons applying for a grant under the tribal Emergency Assistance Program may appeal an adverse decision made by the Review Board as follows:

- a. The first appeal should be made in writing to the Review board. Additional information, back-up or documentation of the need should be submitted to the Review Board for consideration. If there are extenuating circumstances, these should be explained in the appeal process.
- b. If the Board upholds its' original decision, the applicant may make a second appeal to the Commissioner of Health & Human Services designee. This appeal should also be in writing, however the Commissioner may also request a personal interview with the applicant and the review board.

X. Good Faith Effort:

- a. If the applicant is in need of assistance in paying for utility bills (NOT including heating fuel), their payment history immediately prior to the shut-off notice must show a "good faith" effort of having tried to pay at least a 20% portion of their electric, water or sewer bill each month.
- b. Persons who allow their bills to lapse for three or more months and make no effort to pay a minimum amount of the bill will not receive assistance.

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XI. Procedures:

- a. Repeated recipients of emergency assistance grants, for non-payment may be required to attend a personal finance/management training by TANF staff. At this time other referrals may also be made, including but not limited to: Housing; Jobs & Training; Commodities; Health Services; etc. Assistance will also be provided to assist setting up budget payment plans for utilities and to assist in informing the utility companies of households who would be at high risk if utilities were shut off.
- b. For elders and handicapped persons, arrangements will be made with the Tribal Public Works department to read their gas meters on a semi-monthly basis so that propane levels never fall below 20% capacity, to avoid unnecessary penalty charges added to their fuel bill.
- c. A detailed application packet must be completed and a Release Of Information form must be signed so that information on the application can be verified before the Review Board approves or denies an application.
- d. Incomplete applications will not be processed until all information is received. If the application is not complete within 30 days of its original submission it will be deactivated and the applicant must reapply if assistance is needed in the future.
- e. Form letters explaining Board decisions or reasons for applicants not processed will be sent to each applicant.
- f. The Eligibility Technician will make referrals to needed county, tribal and/or state programs which may be appropriate for the client. He/she will follow-up to be sure the referral is working for the client. Records of referrals will be made for each client in need of these services.

XII. Coverage:

The following constitute the new coverage guidelines for various types of assistance.

A. Emergency Housing:

1. Persons whose home is destroyed or uninhabitable due to fire or other disaster.
2. Persons who are homeless, or Band members who have moved back to the reservation and need shelter until they can find a place to rent. This is a one time award.

Note: Persons needing emergency housing due to remodeling of their home by the Mille Lacs Housing Authority must obtain financial assistance from housing, not Emergency Assistance Funds.

B. Clothing Needs:

1. Persons whose clothing have been destroyed by fire, theft or other catastrophic disaster.
2. Persons who have a job interview and need proper/new clothes for the interview and for on-the-job which they have already obtained will first be referred to, Job's and Training Program for assistance.

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XIII. Emergency Food Eligibility:

- a. Homeless persons
- b. Persons unemployed for over 3 months whose Food Assistance have run out.
- c. Lost food stamps. Must provide / verification of loss or theft (eg. - a police report)
- d. Persons unable to use area local food shelf.

XIV. Travel:

- a. Persons who need to travel away from their home because of a family medical emergency or death in the family.
- b. Gas money will be paid at the rate of \$0.31 / mile.
- c. Approved travel expenses will follow current Band policy for mileage and federal per diem for the city of destination. Lodging and meals at the federal per diem rate for the city / town to which they are traveling. The federal per diem will be paid for as many days as necessary but only up to a maximum of \$750.00 or the unused amount of the money the applicant has available to him/her.
- d. Definition of family is: mother, father, son, daughter, brother, sister, in-laws.
- e. To pay travel for more than one person in the same "family", they must live in separate areas.
- f. Definition of Area: Living in same district, eg. on reservation or within a 30 mile radius of the government center or If beyond this boundary / radius - Two (2) family members not in the same household / area can both receive travel expenses for the same emergency purpose.
- g. Out of state travel will be reviewed on a case by case basis.

XV. Emergency Phone Services:

Phone service is not a covered service. However, certain emergency circumstances as determined by the review board, elders and/or handicap persons who require a phone line for emergency medical reasons will be assessed for needed service and an application for assistance will be reviewed for possible assistance. (see the "good faith" payment rule will prevail.)

XVI. Auto Repairs:

- a. Auto repairs and auto related maintenance are not covered. Applicants who are employed and those receiving employment in the near future will be referred to the Tribal Direct Placement office for assistance.

XVII. Energy Assistance (Fuel / Electrical):

- a. Households must provide documented need and must show proof that they have exhausted all other sources of energy assistance before this program will pay. eg. Energy Assistance Program, vendoring county, employment deduction.
- b. All applicants for energy assistance, must have been consistently making a 20% per month effort in trying to pay their utility bills.

Note: Client must show proof that they have contacted power company to make payment arrangements.