



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
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Resolution # 03-0910-297

Adoption of Amendments to the Membership Assistance Regulation R700-04:MA

WHEREAS, the status of the *Gaá Čhing Ziibi Daáwaa Anishinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council has determined that the creation of the Membership Assistance Program consolidating tribally funded benefits for the member in the continental United States is part of that governmental responsibility; and

WHEREAS, the Membership Assistance Program Ordinance was adopted by the Tribal Council by Resolution #03-0910-296; and

WHEREAS, the Tribal Ogema Lee Sprague has received the comments and recommended amendments to the Regulation by the Members Assistance Department and has determined that these amendments clarify the Regulation and allow a broader application of the programs to the membership; and

WHEREAS, the Tribal Council has determined that the approval of the regulation is in the best interest of the Tribe and its members;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby approves the following amendments by replacing Chapter 2 Helping Hands Program Regulation, Chapter 3 Food Voucher Assistance Program, Chapter 4 Emergency Transportation Program and Chapter 5 Chore Service Assistance Program with Chapter 2 Community Wellbeing and Support.

Chapter 2. Helping Hands Program Regulations

Section 1. Authority; Purpose

1-1. *Authority.* In accordance with Section 7 of Membership Assistance Program Ordinance, Ordinance # 02-700-04, the Tribal Ogema hereby promulgates these regulations for implementation of the Helping Hands Program.

1-2. *Purpose.* This regulation is intended to provide a framework for ensuring the Helping Hands Program is appropriately implemented and administered for the benefit of all members of the Little River Band of Ottawa Indians. The program provides limited, short-term financial assistance to members.

Section 2. Definitions

2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word "shall" is always mandatory and not merely advisory. Definitions included in Chapter 1 are applicable to this Chapter, unless defined otherwise.

2-2. *Lead Case Worker,* as used in this Chapter, means the employee in the Family Services Department delegated responsibility for the Helping Hands Program, and any employees supervised by the Lead Case Worker assigned an applicant as a client.

2-3. *Applicant,* as used in this Chapter, means an individual filing an application form for the Helping Hands Program.

Section 3. Eligibility

3-1. *Eligibility.* An eligible applicant for the Helping Hands Program is:

- a. a member who is 18 years or older; or
- b. the parent or legal guardian of a member who has not reached the age of 18; or
- c. the legal guardian of a member who has been determined by a court of competent jurisdiction to require a legal guardian over the person and/or affairs, provided that the legal guardian is not the State of Michigan or other state government.

Section 4. General Policies

4-1. *Application.* The Family Services Department must receive a fully completed application signed by the applicant to begin processing any request for assistance. The Lead Case Worker shall follow-up on all incomplete applications to assist in finalizing the application.

Membership Assistance Program Regulations

Helping Hands Program

Adopted—July 25, 2002

4-2. *Program Scope.* The Helping Hands Program is designed to provide limited, one time, services to applicants for the following activities. This program is not intended to provide complete coverage of expenses, but is intended to provide emergency assistance limited to that amount necessary to cover the expenses set forth below. The funds allocated through this program may not cover the entire costs of the requested assistance and may be combined with other Membership Assistance Programs to better meet the needs of the applicant.

- a. Unforeseen situations such as travel, transportation, education, energy payments (gas, electric, water, etc.), or other expenses related to the general health or welfare of a member. This category is intended to be interpreted broadly so as to allow the greatest application.
- b. Household safety such as door locks, keys, plumbing repairs, electrical repairs, minor building repairs, and other problems that would tend to result in personal injury to a member if left untreated. This category is not intended to substitute for, or subsidize, benefits received from the Home Repair Program in Chapter 1. The list provided in this subsection is not intended to be exhaustive nor representative, but as examples only.
- c. Personal safety such as vehicle repair, fire extinguishers, car seats, strollers, fencing and other problems or situations that would tend to result in personal injury to a member if left untreated. This category is intended to be interpreted broadly so as to allow the greatest application.

d. Uncovered medical expenses such as medicine, doctor visits, dental visits, home care, glasses, contacts, wheel chairs, canes, beds, handicap access remodeling and other products or activities that relate to mental or physical needs of a member.

e. Special circumstances is a category for expenses that do not fit within the definitions above, but where assistance provided to the member will result in a benefit to the general health or welfare of a member consistent with this program. Expenses in this category must receive approval by the Family Services Director.

4-3. *Restriction on Program Application.* No expenses related to criminal activity may be paid through this program. Any applicant receiving assistance which is subsequently identified as an expense derived from criminal activity shall result in the applicant being prohibited from accessing this program in the future.

4-4. *Proof of Need.* An applicant must provide a bill or invoice for services to be rendered, or goods that will be purchased.

a. *Exception—Payment to Applicant.* In exceptional circumstances, an applicant may receive direct payment of Helping Hands funds. In such circumstances the applicant must file a receipt showing payment by the applicant within ten days of receiving the funds. Failure to submit a receipt within the time frame allowed will result in the applicant being prohibited from utilizing this program in the future.

b. *Exception—Receipt for Services Rendered or Goods Already Purchased.* An applicant must clearly identify why the reimbursement of an expense already paid for is necessary to protect the general health or welfare of a member.

4-5. *Amount of Assistance.* The amount of assistance is limited to \$200.00 per year, per member, and is not affected by the number of members in the household.

4-6. *Processing Time Lines.* Final processing will not occur until all required documentation and a completed application have been received by the Family Services Department. Applications may take five working days to complete once all documentation is received.

Membership Assistance Program Regulations

Food Voucher Assistance Program

Adopted—July 25, 2002; Amended—September 2002

4-7. *Maintenance of File; Use of Information.* The Helping Hands Program shall maintain a confidential filing system and shall not release any information collected from applicants except as provided in this section.

a. *Statistical.* Information may be compiled and reported to internal or external agencies which does not identify specific applicants.

b. *Program Building.* Information may be compiled and shared to the extent necessary to identify a need to expand or create a program. Such information shall be in a format that does not identify specific applicants.

c. *Contact with Applicant.* The Helping Hands Program works in conjunction with other Tribal programs to identify the greatest possible amount of assistance to applicants. Case workers shall notify the applicant of this cross functional team work process which may not be waived, forfeited, or rejected. Provided that, the applicant shall have the ability to reject any or all services identified, and such rejection shall not result in penalizing the applicant for any program accepted, unless such restriction is specifically included within the eligibility requirements for that program.

Section 5. Adoption; Amendment; Repeal

5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on and approved by the Tribal Council on July 10, 2002 by adoption of resolution # 02-0710-05.

5-2. *Amendment.* This regulation may be amended by the Family Services Department in accordance with the Constitution and any rules set forth governing amendment of regulation of the Little River Band of Ottawa Indians. Provided that, any amendments must approved or adopted in the same manner as set forth in section 5-1.

5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.

5-4. *Compliance.* In regards to compliance with this regulation, substantial compliance with the 'spirit' of this regulation rather than complete compliance is acceptable.

~~5-5. Sovereign Immunity.~~ Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents.

~~5-6. Effective Date.~~ This Regulation shall take effect on September 1, 2002.

Chapter 3. Food Voucher Assistance Program Regulations

Section 1. Authority; Purpose

~~1-1. Authority.~~ In accordance with Section 7 of Membership Assistance Program Ordinance, Ordinance # 02-700-04, the Tribal Ogema hereby promulgates these regulations for implementation of the Food Voucher Assistance Program.

~~1-2. Purpose.~~ This program is intended to offer temporary assistance to members for purchasing food. This program is intended to provide limited, short-term financial assistance to members.

Section 2. Definitions

~~Membership Assistance Program Regulations~~

~~Food Voucher Assistance Program~~

~~Adopted—July 25, 2002; Amended—September 2002~~

~~2-1. General.~~ For purposes of this regulation, certain terms are defined in this section. The word “shall” is always mandatory and not merely advisory. Definitions included in Chapter 1 are applicable to this Chapter, unless defined otherwise.

~~2-2. Applicant,~~ as used in this Chapter, means an individual filing an application form for the Food Voucher Assistance Program on behalf of a household.

Section 3. Eligibility

~~Section 3-1. Eligibility.~~ An applicant is eligible for the Food Voucher Assistance Program if the applicant meets the following criteria:

~~A member who is 18 or older; or~~

~~b. The parent or legal guardian of a member who has not reached the age of 18; or~~

~~c. The legal guardian of a member who has been determined by a court of competent jurisdiction to require a legal guardian over the person and/or affairs, provided that legal guardian is not the State of Michigan or other state government; and~~

~~d. Within the income criteria set forth in the Membership Assistance Program Regulations, #R700-04: MA-01, s.3-1(c).~~

Section 4. General Policies

~~4-1. Application.~~ The Family Services Department must receive a fully completed application signed by the member. The Lead Caseworker shall follow-up on all incomplete applications to assist in finalizing the application.

~~4-2. Program Scope.~~ The Food Voucher Assistance Program is designed to provide limited assistance in purchasing food as identified in the categories in this section. This program is not intended to be a complete resource for food purchases, but is intended to provide assistance up to the maximum amount identified in section 4-6.

~~a. Special diet needs related to medical restrictions.~~

~~b. Additional persons joining the household which were unexpected such as family emergencies, foster care, providing assistance to relatives, siblings, brothers, sisters for short or long periods.~~

~~c. Homeless persons needing initial assistance in obtaining nutritional sustenance.~~

~~d. Budgeting needs where a member or household has unexpected costs which affect the overall budget of the family where assistance in food purchases for the member or household will assist in bringing the member or household back within the household budget.~~

~~e. Special circumstances is a category for expenses that do not fit within the definitions above, but where assistance provided to the member will result in a benefit to the general health or welfare of the member consistent with this program. Expenses in this category must receive approval by the Family Services Director.~~

~~4-3. Restrictions on Program Application.~~ No expenses related to this program shall be utilized to purchase alcohol or tobacco products, or for the purchase of illegal substances. Any applicant receiving assistance which is subsequently identified as an expense derived from a prohibited expense, or criminal activity shall result in the applicant being prohibited from accessing this program in the future.

~~4-4. Proof of Income.~~ The applicant must provide income verification through a recent federal income tax document, one month proof of all income, or zero income form.

~~Membership Assistance Program Regulations~~

Food Voucher Assistance Program

~~Adopted—July 25, 2002; Amended—September 2002~~

~~4-5. *Voucher, Invoice, Bill.* This program will make every effort to work directly with a grocer, fresh produce or farm market, or other like business to set up an account for use by the applicant, or provide invoices to the program for direct reimbursement. In instances where the business will not set up an account or invoice the program for expenses, the applicant may be paid, in advance, a suitable amount related to the size of the family and the need expresses. An applicant paid in advance must submit the receipt for the purchases within ten business days of receipt of advanced funds. Failure to submit a receipt may result in the applicant being restricted from utilizing the program in the future.~~

~~4-6. *Amount of Assistance.* The amount of assistance is limited to \$300.00 per year per household.~~

~~4-7. *Processing Time Lines.* Final processing will not occur until all required documentation and a completed application have been received by the Family Services Department. Applications may take five working days to complete once all documentation is received.~~

~~4-8. *Maintenance of File; Use of Information.* The Food Voucher Assistance Program shall maintain a confidential filing system and shall not release any information collected from applicants except as provided in this section.~~

~~a. *Statistical.* Information may be compiled and reported to internal or external agencies which does not identify specific applicants.~~

~~b. *Program Building.* Information may be compiled and shared to the extent necessary to identify a need to expand or create a program. Such information shall be in a format that does not identify specific applicants.~~

~~c. *Contact with Applicant.* The Food Voucher Assistance Program works in conjunction with other Tribal programs to identify the greatest possible amount of assistance to applicants. Case workers shall notify the applicant of this cross functional team work process which may not be waived, forfeited, or rejected. Provided that, the applicant shall have the ability to reject any or all services identified, and such rejection shall not result in penalizing the applicant for any program accepted, unless such restriction is specifically included within the eligibility requirements for that program.~~

~~Section 5. Adoption; Amendment; Repeal~~

~~5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on and approved by the Tribal Council on July 10, 2002 by adoption of resolution # 02-0710-05, and amended on September, 2002.~~

~~5-2. *Amendment.* This regulation may be amended by the Family Services Department in accordance with the Constitution and any rules set forth governing amendment of regulation of the Little River Band of Ottawa Indians. Provided that, any amendments must approved or adopted in the same manner as set forth in section 5-1.~~

~~5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.~~

~~5-4. *Compliance.* In regards to compliance with this regulation, substantial compliance with the 'spirit' of this regulation rather than complete compliance is acceptable.~~

~~5-5. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or Membership Assistance Program Regulations~~

~~Emergency Transportation Program~~

~~Adopted—July 25, 2002; Amended—September 2002~~

~~agents.~~

~~5-6. *Effective Date.* This Regulation shall take effect on September 1, 2002.~~

Chapter 4. Emergency Transportation Program Regulations

Section 1. Authority; Purpose

~~1-1. *Authority.* In accordance with Section 7 of Membership Assistance Program Ordinance, Ordinance # 02-700-04, the Tribal Ogema hereby promulgates these regulations for implementation of the Emergency Transportation Program.~~

~~1-2. Purpose.~~ Emergency Transportation funds may be utilized for public transport, private transport, auto repair, safety maintenance, and auto accident situations. This program is intended to provide limited, short-term financial assistance to members.

Section 2. Definitions

~~2-1. General.~~ For purposes of this regulation, certain terms are defined in this section. The word "shall" is always mandatory and not merely advisory. Definitions included in Chapter 1 are applicable to this Chapter, unless defined otherwise.

~~2-2. Applicant,~~ as used in this Chapter, means an individual filing an application form for the Emergency Transportation Program on behalf of a household.

Section 3. Eligibility

~~Section 3-1. Eligibility.~~ An applicant is eligible for the Emergency Transportation Assistance Program if the applicant meets the following criteria:

~~A member who is 18 years or older; or~~

~~b. The parent or legal guardian of a member who has not reached the age of 18; or~~

~~c. The legal guardian of a member who has been determined by a court of competent jurisdiction to require a legal guardian over the person and/or affairs, provided that the legal guardian is not the State of Michigan or other state government; and~~

~~d. Within the income criteria set forth in the Membership Assistance Program Regulations, #R700-04: MA-01, s.3-1(c).~~

Section 4. General Policies

~~4-1. Application.~~ The Family Services Department must receive a fully completed application signed by the member. The Lead Caseworker shall follow up on all incomplete applications to assist in finalizing the application.

~~4-2. Program Scope.~~ The Emergency Transportation Program is designed to provide limited assistance in transportation needs of applicants as identified in the categories in this section. This program is not intended to be a complete resource for transportation needs, but is intended to provide assistance which may not include coverage of the total cost, even where the total cost may be under the maximum amount of benefit available.

~~a. Public transportation such as bus, subway or other mass transit voucher, and in limited circumstances taxi cabs.~~

~~b. Private transportation such as assistance the purchase of fuel, maintenance of an existing vehicle such as oil changes, assisting paying for a mechanic to test or otherwise inspect a~~

~~Membership Assistance Program Regulations~~

~~Emergency Transportation Program~~

~~Adopted July 25, 2002; Amended September 2002~~

~~vehicle that is being purchased, or in limited circumstances assistance in a down payment for purchase of reliable transportation.~~

~~c. Safety maintenance which is outside of the normal maintenance of the vehicle but is necessary to maintain a safe vehicle.~~

~~d. Auto repair which is outside of normal maintenance of a vehicle and not a safety issue, including assistance in replacement of tires and other worn or dangerous parts.~~

~~e. Auto Accident which may include towing, repairs, or rental vehicle during repairs.~~

~~4-3. Restrictions on Program Application.~~ No expenses related to this program shall be utilized to assist in the conduct of criminal activities. Any applicant receiving assistance which is subsequently identified as an expense derived from, or used for, a prohibited expense, or criminal activity shall result in the applicant being prohibited from accessing this program in the future.

~~4-4. Proof of Income.~~ The applicant must provide income verification through a recent federal income tax document, one month proof of all income, or zero income form.

~~4-5. Proof of Need.~~ An applicant must provide a bill or invoice for services to be rendered, or goods that will be purchased.

~~a. Exception—Payment to Applicant.~~ In exceptional circumstances, an applicant may receive direct payment of Emergency Transportation funds. In such circumstances the applicant must file a receipt showing payment by the member within ten days of receiving the funds. Failure to submit a receipt within the time frame allowed will result in the applicant being restricted from utilizing this program in the future.

~~b. *Exception—Receipt for Services Rendered or Repairs/Maintenance Already Purchased.* An applicant must clearly identify why the reimbursement of an expense already paid for is necessary to protect the general health or welfare of the applicant.~~

~~4-6. *Amount of Assistance.* The amount of assistance is limited to \$300.00 per year per household.~~

~~4-7. *Processing Time Lines.* Final processing will not occur until all required documentation and completed application have been received by the Family Services Department. Applications may take five working days to complete once all documentation is received.~~

~~4-8. *Maintenance of File; Use of Information.* The Emergency Transportation Program shall maintain a confidential filing system and shall not release any information collected from applicants except as provided in this section.~~

~~a. *Statistical.* Information may be compiled and reported to internal or external agencies which does not identify specific applicants.~~

~~b. *Program Building.* Information may be compiled and shared to the extent necessary to identify a need to expand or create a program. Such information shall be in a format that does not identify specific applicants.~~

~~c. *Contact with Applicant.* The Emergency Transportation Program works in conjunction with other Tribal programs to identify the greatest possible amount of assistance to applicants. Case workers shall notify the applicant of this cross-functional team work process which may not be waived, forfeited, or rejected. Provided that, the applicant shall have the ability to reject any or all services identified, and such rejection shall not result in penalizing the applicant for any program accepted, unless such restriction is specifically included within the eligibility requirements for that program.~~

Section 5. Adoption; Amendment; Repeal
Membership Assistance Program Regulations
Chore Service Assistance Program

Adopted—July 25, 2002

~~5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on and approved by the Tribal Council on July 10, 2002 by adoption of resolution # 02-0710-05, and amended on September, 2002.~~

~~5-2. *Amendment.* This regulation may be amended by the Family Services Department in accordance with the Constitution and any rules set forth governing amendment of regulation of the Little River Band of Ottawa Indians. Provided that, any amendments must approved or adopted in the same manner as set forth in section 5-1.~~

~~5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.~~

~~5-4. *Compliance.* In regards to compliance with this regulation, substantial compliance with the ‘spirit’ of this regulation rather than complete compliance is acceptable.~~

~~5-5. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents.~~

~~5-6. *Effective Date.* This Regulation shall take effect on September 1, 2002.~~

Chapter 5. Chore Service Assistance Program Regulations

Section 1. Authority; Purpose

~~1-1. *Authority.* In accordance with Section 7 of Membership Assistance Program Ordinance, Ordinance # 02-700-04, the Tribal Ogema hereby promulgates these regulations for implementation of the Chore Service Assistance Program.~~

~~1-2. *Purpose.* This program is intended to provide limited, short-term financial assistance to members that are elders, disabled, or otherwise limited in their ability to perform routine household chores essential to their health and safety.~~

Section 2. Definitions

~~2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word “shall” is always mandatory and not merely advisory. Definitions included in Chapter 1 are applicable to this Chapter, unless defined otherwise.~~

~~2-2. *Elder,* as used in this Chapter, refers to an individual who is age 55 or older.~~

2-3. *Applicant*, as used in this Chapter, means an individual filing an application form for the Chore Service Assistance Program on behalf of a household.

2-4. *Disabled*, as used in this Chapter, refers to an individual who is unable to perform the normal chore services within a home as set forth in this Chapter as a result of a permanent or temporary disability which is evidenced by a certification, letter, or other document from an agency or professional which should reasonably have the ability to make such a determination.

Section 3. Eligibility

3-1. *Eligibility*. An applicant is eligible for the Chore Service Assistance Program if the applicant meets the following criteria—

a. a member;

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Adopted—July 25, 2002

b. must be 55 years of age or older or disabled; and

c. within the income criteria set forth in the *Membership Assistance Program Regulations*, #R700-04:MA-01, s. 3-1(c).

Section 4. General Policies

4-1. *Application*. The Family Services Department must receive a fully completed application signed by the member. The Lead Caseworker shall follow up on all incomplete applications to assist in finalizing the application. 4-2. *Program Scope*. The Chore Service Assistance Program is designed to provide assistance in

routine household chores essential to the general health and safety of an elder. This program is not intended to provide live-in assistance or general home cleaning services, but should be applied broadly so as to create a better quality of life for an elder.

4-3. *Restrictions on Program Application*. No expenses related to this program shall be utilized to assist in the conduct of criminal activities. Any applicant receiving assistance which is subsequently identified as an expense derived from, or used for, a prohibited expense, or criminal activity shall result on the applicant being restricted from accessing this program in the future.

4-2. *Proof of Income*. The applicant must provide income verification through a recent federal income tax document, one month proof of all income, or zero income form.

4-4. *Proof of Need*. An applicant must provide a bill or invoice for services to be rendered, or goods that will be purchased.

a. *Exception—Payment to Applicant*. In exceptional circumstances, an applicant may receive direct payment of Chore Service Assistance funds. In such circumstances the applicant must file a receipt showing payment by the applicant within 30 days of receiving the funds. Failure to submit a receipt within the time frame allowed will result in the member being restricted from utilizing this program in the future.

b. *Exception—Receipt for Services Rendered or Goods Already Purchased*. An applicant must clearly identify why the reimbursement of an expense already paid for is necessary to protect the general health or welfare of the applicant.

4-5. *Amount of Assistance*. The amount of assistance is limited to \$400.00 per year per household.

4-6. *Processing Time Lines*. Final processing will not occur until all required documentation and completed application have been received by the Family Services Department. Applications may take five working days to complete once all documentation is received.

4-7. *Maintenance of File; Use of Information*. The Chore Service Assistance Program shall maintain a confidential filing system and shall not release any information collected from applicants except as provided in this section.

a. *Statistical*. Information may be compiled and reported to internal or external agencies which does not identify specific applicants.

b. *Program Building*. Information may be compiled and shared to the extent necessary to identify a need to expand or create a program. Such information shall be in a format that does not identify specific applicants.

c. *Contact with Applicant*. The Chore Service Assistance Program works in conjunction with other Tribal programs to identify the greatest possible amount of assistance to applicants. Case workers shall notify the applicant of this cross-functional team work process which may not be waived, forfeited, or rejected. Provided that, the applicant shall

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~~Chore Service Assistance Program~~

~~Adopted— July 25, 2002~~

~~have the ability to reject any or all services identified, and such rejection shall not result in penalizing the applicant for any program accepted, unless such restriction is specifically included within the eligibility requirements for that program.~~

~~**Section 5. Adoption; Amendment; Repeal**~~

~~5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on and approved by the Tribal Council on July 10, 2002 by adoption of resolution # 02-0710-05.~~

~~5-2. *Amendment.* This regulation may be amended by the Family Services Department in accordance with the Constitution and any rules set forth governing amendment of regulation of the Little River Band of Ottawa Indians. Provided that, any amendments must approved or adopted in the same manner as set forth in section 5-1.~~

~~5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.~~

~~5-4. *Compliance.* In regards to compliance with this regulation, substantial compliance with the 'spirit' of this regulation rather than complete compliance is acceptable.~~

~~5-5. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents. 5-6. *Effective Date.* This Regulation shall take effect on September 1, 2002.~~

REPLACED WITH:

Chapter 2. Community Wellbeing & Support

Section 1. Authority; Purpose

1-1. *Authority.* In accordance with Section 7 of Membership Assistance Program Ordinance, Ordinance # 02-700-04, the Tribal Ogema hereby promulgates these regulations for implementation of the Community Wellbeing & Support Program.

1-2. *Purpose.* This regulation is intended to provide a framework of the Community Wellbeing & Support Program ensuring the assistance is appropriately implemented and administered for the benefit of all members of the Little River Band of Ottawa Indians. The program provides annual, limited-financial assistance and a referral source for members to access services or request information from a specific department.

Section 2. Definitions

2-1. *General.* For purposes of this regulation, certain terms are defined in this section. The word "shall" is always mandatory and not merely advisory.

2-2 *Community Wellbeing & Support* means a program providing general welfare assistance payments for the health, welfare and safety of a Little River Band of Ottawa Indian member.

2-3 *Non-Request for Assistance* means member chooses not to complete and return the Assessment Survey and Disclaimer for assistance.

Section 3. Eligibility

3-1. *Eligibility.* An eligible Individual for Community Wellbeing & Support is:

a. Enrolled Tribal Member by August 1st prior to annual distribution date. An Enrollment Verification will be completed to verify enrollment status.

b. the legal guardian of a member who has been determined by a court of competent jurisdiction to require a legal guardian over the person and/or affairs, provided that the legal guardian is not the State of Michigan or other state government.

c. Incarcerated Tribal Members will be eligible at the time of release for that calendar year. Payment is not retro active to prior year/s distribution.

d. Complete Community Wellbeing and Support Survey and Disclaimer.

Section 4. General Policies

Membership Assistance Program Regulations

Adopted *****

4-1. *Program Scope.* Community Wellbeing & Support is designed to provide a limited, one time annual distribution of funds services to members for the following activities. This program is not intended to provide complete coverage of expenses, but is intended to provide limited to the members of the Little River Band of Ottawa Indians for their general health, welfare and safety and is limited to that amount necessary to cover the examples of expenses set forth below. The funds allocated through this program may not cover the entire costs of assistance for Education, Energy Payments (gas, electric, water, etc.), Food Expense, Insurance (home, rent, auto etc.) Child Care, Elder Care, Uncovered Medical Expenses (prescriptions, doctor visits, dental visits, home care, etc) Mortgage payments, Rent payments or other expenses related to the general health or welfare of a member. This category is intended to be interpreted broadly so as to allow the greatest application.

4-5. *Amount of Assistance.* The amount of assistance is limited to: \$500.00 per year per enrolled member and is not affected by the number of members in the household.

4-6. *Processing.* This program is a once a year disbursement of \$500.00. The Community Wellbeing and Support Assessment Survey and Disclaimer will be mailed out annually starting October 1st of the calendar year. Disbursement processing of funds will be upon receipt of complete Community Wellbeing and Support Survey and Disclaimer and Enrollment verification verifying enrollment.

b. Annual update of disclaimer and assessment survey is mandatory.

4-7. *Maintenance of File; Use of Information.* Wellbeing and Support Program shall maintain a confidential filing system/data base and shall not release any information collected from members except as provided in this section.

a. *Statistical.* Information may be compiled and reported to internal or external agencies which does not identify specific tribal member.

b. *Program Building.* Information may be compiled and shared to the extent necessary to identify a need to expand or create a program. Such information shall be in a format that does not identify specific tribal member.

c. *Contact with Tribal Member:* Community Wellbeing and Support works in conjunction with other tribal programs to identify the greatest possible amount of assistance to tribal member. The assessment survey shall initiate a cross-functional team work process via the completed assessment survey in which the applicant can be referred to the pertinent department of which the applicant has requested assistance or information. The member shall have the ability to reject any or all services identified on the Assessment Survey by simply checking NO for referral services, and such rejection shall not result in penalizing the applicant for any program accepted, unless such restriction is specifically included within the eligibility requirements for that program. This does not penalize applicant from pursuing department specific assistance or information at a later date should tribal members' situation change.

d. *Process Time Line:* If Assessment Survey and Disclaimer are not received by the Community Wellbeing and Support Program by November 1st of the calendar year in which it was received, it will be considered a Non-Request for assistance.

4-8 *Incomplete Documentation:* In the event that an incomplete Assessment Survey and/or Disclaimer are received by the Community Wellbeing and Support Program it will be post marked received and will be returned to the member. Upon receipt of returned Survey and/or Disclaimer the member will have 5 business days to complete and resubmit to the Wellbeing and Support Program for processing. Failure to return complete documentation will be considered a Non-Request for assistance.

a. *Documentation Update:* Annual update of Disclaimer and Assessment Survey are mandatory for distribution.

Section 5. Adoption; Amendment; Repeal

5-1. *Adoption.* This Chapter is approved by the Tribal Ogema on and approved by the Tribal Council on by adoption of resolution 03-0910-297.

5-2. *Amendment.* This regulation may be amended by the Members Assistance Department in accordance with the Constitution and any rules set forth governing amendment of regulation of the Little River Band of Ottawa Indians. Provided that, any amendments must be approved or adopted in the same manner as set forth in section 5-1.

5-3. *Severability Clause.* If any provision of this regulation or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this regulation which can be

given effect without the invalid provision or application, and to this end the provisions of this regulation are severable.

5-4. *Compliance.* In regards to compliance with this regulation, Any and all noncompliance with these regulations as written shall require written request for waiver of individual sections of this regulation. All requests for waiver shall be presented to the Ogema for acceptance or denial.

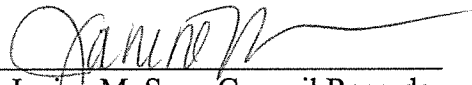
5-5. *Sovereign Immunity.* Nothing in this Regulation shall provide or be interpreted to provide a waiver of sovereign immunity from suit of the Tribe or any of its governmental officers and/or agents.

5-6. *Effective Date.* This Regulation shall take effect on September 10, 2003

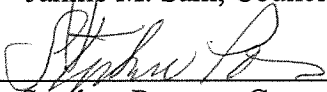
IT IS FURTHER RESOLVED THAT these amendments are to take effect upon the date of adoption.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 2 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on September 10, 2003, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department